

Also, memorial of Republican Club of the Twenty-ninth Assembly District, asking that a proper system of military training be instituted and favoring an adequate state of preparedness; to the Committee on Military Affairs.

By Mr. McDERMOTT: Petition signed by Charles J. Vojteck, George Novak, Thomas J. Charvat, Anthony Yansky, John J. Macken, Frank Snekhaus, and others, all of Chicago, Ill., protesting against Webb prohibition amendment; to the Committee on the Judiciary.

Also, petition signed by Anton Svadlenka, E. Stroner, Maurice J. Wall, John D. Frawley, Anton Vecsek, Louis J. Celthaml, William Basta, and others, all of Chicago, Ill., protesting against the passage of the Webb prohibition bill; to the Committee on the Judiciary.

By Mr. MORIN: Petition of Allegheny County Branch, State League German Roman Catholic Societies of Pennsylvania, Mr. John E. Loibl, president, and Mr. Sebastian Reich, secretary, urging that everything possible be done to keep us out of war; to the Committee on Foreign Affairs.

By Mr. NORTON: Petition of sundry citizens of Mott and Minot, N. Dak., against removal of tax on oleomargarine; to the Committee on Ways and Means.

By Mr. PLATT: Petition of residents of Lagrangeville and Arlington, N. Y., for national prohibition; to the Committee on the Judiciary.

Also, petition of residents of Southfields and Harriman, N. Y., for national prohibition; to the Committee on the Judiciary.

By Mr. RAINEY: Protest of C. A. Weiss, Petersburg, Ill., and 24 other citizens of Menard County, against war with Germany; to the Committee on Foreign Affairs.

By Mr. RIORDAN: Petition of 2,616 citizens of New York City, in favor of the passage of the Fitzgerald food-embargo bills; to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL of Ohio: Petitions of citizens of Lima, Allen County, Ohio, favoring passage of the migratory-bird treaty act; to the Committee on Foreign Affairs.

By Mr. SCULLY: Memorial of the New Jersey Society, Sons of the American Revolution, favoring universal military training; to the Committee on Military Affairs.

Also, memorial of Society of Colonial Wars in the District of Columbia, relative to universal training for national defense; to the Committee on Military Affairs.

By Mr. SNYDER: Petition of various residents of Utica, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Memorial of 2,000 Americans, assuring the President and Congress of their support of measures upholding American rights; to the Committee on Foreign Affairs.

By Mr. TEMPLE: Petition of Women's Missionary Union of New Castle, Pa., favoring antipolygamy amendment to the United States Constitution; to the Committee on the Judiciary.

Also, petition of public meeting at New Castle, Pa., February 19, 1917, favoring antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of public meeting at New Castle, Pa., February 23, 1917, favoring antipolygamy amendment to the United States Constitution; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Petition of sundry church organizations of Colorado, favoring national prohibition; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of A. M. Hauser and 108 other citizens of Anamoose, N. Dak., against war; to the Committee on Foreign Affairs.

SENATE.

SUNDAY, March 4, 1917.

(Continuation of proceedings of legislative day of Friday, March 2, 1917.)

PENSIONS AND INCREASE OF PENSIONS—CONFERENCE REPORT.

Mr. HUGHES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 8120) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 10, 11, 15, 16, 18, 19, 23, 28, 30, 33, and 34.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 4, 5, 6, 7, 8, 9, 12, 13, 14, 17, 20, 21, 22, 26, 27, 29, 31, and 32, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 24, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"The name of George J. Ham, late of Troop C, Seventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of \$17 per month."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25"; and the House agree to the same.

WM. HUGHES,

REED SMOOT,

Managers on the part of the Senate.

JOHN A. KEY,

EDWARD KEATING,

S. R. SELLS,

Managers on the part of the House.

Mr. JONES. Can the Senator from New Jersey state whether the report contains the matter in which the junior Senator from Idaho [Mr. BRADY] is interested?

Mr. HUGHES. This is the conference report.

Mr. JONES. I spoke to the junior Senator from Idaho about it to-day. He does not seem to be here now. I understood him to say that he wanted to put some matter in the RECORD, at any rate. I do not see myself that the report ought to be held up any longer, because there are many persons interested in it. I do not feel like asking to have it go over.

Mr. HUGHES. I will ask unanimous consent that the Senator from Idaho be permitted to put in the RECORD any statement in connection with the conference report that he cares to have inserted.

Mr. STONE. Of course I have no objection to that, but it is very unusual.

Mr. HUGHES. I understand it is a statement he desires to put in. I ask that permission be given to him not to extend his remarks in the RECORD, but to print in the RECORD in connection with the conference report certain documents that bear upon the report.

Mr. STONE. I think that is all right.

The PRESIDENT pro tempore. Is there objection?

Mr. STONE. I have no objection to that.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

Mr. STONE. I wish to ask the Senator from New Jersey whether this bill contains the item authorizing the payment of a pension of \$24 a month to Mrs. Boyd.

Mr. HUGHES. I think it does. I will state that if it does not the conference report containing that item has already been acted upon. I am not certain. This report has been held on my desk for four or five days, and if it does not contain that item the conference report which does contain it has already been acted upon.

Mr. STONE. What I desire in a word to say is that if that item is in this report I would be very glad if there was any way by which it might be eliminated. I fear it can not be done without sending it back to conference. I say that because Mrs. Boyd would prefer not to have any pension at all granted by Congress rather than to have a pension of \$24 per month.

Mr. KENYON. I will ask the Senator if this is Mrs. Boyd, the widow of Capt. Boyd who was shot to death at Carrizal?

Mr. STONE. Yes; I am speaking of her.

Mr. KENYON. She was granted a pension of \$24 a month?

Mr. STONE. Twenty-four dollars. I was just saying that in her name I desire to register here a protest against the action of the committee, the Senate, and the Congress in allowing her a pension of only \$24 a month for the loss of her husband in the battle at Carrizal, in Mexico. He was a splendid young man, in the prime of life. He was ordered to do what he did and it cost him his life, and he left a widow and two children.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

EX-SOLDIERS' REUNION AT VICKSBURG, MISS.

Mr. VARDAMAN. Mr. President, I shall take but a moment of the time of the Senate to-night to execute a very pleasant commission from the people of the city of Vicksburg and State

of Mississippi. I have received this morning the following telegram:

Hon. JAMES K. VARDAMAN,
Washington, D. C.:

Please extend for us to the Members of the United States Senate a most cordial invitation to participate in the reunion of the Federal and Confederate reunion to be held in Vicksburg October 16 to 18, 1917, on behalf of the city of Vicksburg and all its citizens. We promise them a hearty welcome.

VICKSBURG PEACE JUBILEE COMMITTEE,
By J. J. HAYES, Chairman,
FRANK H. ANDREWS, Secretary.

Mr. President, this is the first national reunion of the Blue and the Gray, I think, that has taken place in the South since 1865.

It will be a reunion of the participants in that great war between brothers which drenched this fair land with blood and tears between the years 1861 and 1865. The lesson of that fateful conflict can not be contemplated now without profit. It is pertinent in these hours of stress and trial. That was a war fought to vindicate a national right on the one side, and on the other, to testify in a most heroic way, devotion to principle. There were no sordid questions of private profits, no prostitution of the governmental functions or taking advantage of a national disaster to coin the blood of the soldier on the field of battle and the tears and broken hearts of the women and children in their unhappy homes into dollars, but rather to settle a great national question. Up to the time of this war the nationality of our Government was a matter of dispute. Inherent autonomy—the States' sovereign right to secede from the General Government was a matter about which the most patriotic and wisest of American statesmen differed. In the natural process of evolution the time at last arrived when this difference had to be settled. Unfortunately, it seemed that only by the court of might the question could be determined definitely. To that great, cruel court the Confederate presented his case with all the power inherent in him, but after four painful and bloody years he failed of his purpose, and when the stars and bars—that sacred emblem of government by free consent, as it was regarded by those who moved beneath its sacred folds—trailed in the dust of defeat on that fateful day at Appomattox, and the court of might handed down its decision, the Confederate soldiers accepted the arbitrament as irrevocable; and from that unhappy day to this they and their sons have ever been ready, if need be, to shed their blood in defense of the Stars and Stripes. And speaking for them to-night, as one whose father gave four of the best years of his honorable life to the Confederacy, you will permit me, by paraphrasing the language of another, to say we thank God that—

The war drums throb no longer,
And the battle flags are furled
In this reunited country,
The greatest country in the world.

The meeting to be held in Vicksburg on the 16th of October next will be for the purpose of bringing together the men who wore the blue and the men who wore the gray; to urge forgetfulness of the trials, hardships, sufferings, and disappointments of the past, and like brave men shake hands and be friends, not only for their own good but for the good of posterity and all the world. I do not believe that any other people beneath the stars could have fought that war, suffered the sacrifices therein endured, and within one-half century thereafter present a state of united constituency as that which we find in America to-day. Mr. President, I desire to say in this presence to-night that sectionalism should have no place in the heart of an American citizen. He who hates hurts himself, and the spirit of sectionalism is the prolific seed of discord and disintegration. In defense of the flag and for the Nation's welfare sectional leanings should be discouraged, and all unite in one broad comprehensive purpose for the glory of our common country. It is going to take all the learning and all the patriotism and all the wisdom of all the people of every section standing shoulder to shoulder, keeping step, with elbows touching, to meet and solve the problems and overcome the difficulties that confront us as a Nation. I believe that it is only through and by united patriotic efforts and lofty purposes of the white people of all America that this Republic shall be saved, if it indeed it shall be saved at all, from the fate that has befallen the republics of the past whose skeletons mark the shores of time to-night. In behalf of the people of Vicksburg and the entire State of Mississippi, I want to extend to the Members of the Senate a most cordial invitation to visit us on the 16th of October next. Your coming will give us great pleasure, and I assure you that you will find in all of Mississippi, as well as in the classic little city of Vicksburg, that cordial hospitality which is the perfume of the fairest flower of the finest civilization. Will you not be kind enough to come to see us?

AGRICULTURAL APPROPRIATION CONFERENCE REPORT.

Mr. SMITH of South Carolina and Mr. MYERS addressed the Chair.

The PRESIDENT pro tempore. The Senator from South Carolina.

Mr. SMITH of South Carolina. I now move that the Senate proceed to the consideration of the conference report on the Agricultural appropriation bill.

The PRESIDENT pro tempore. The Senator from South Carolina moves that the Senate proceed to the consideration of the conference report on the Agricultural appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

Mr. GRONNA obtained the floor.

Mr. LEWIS. Mr. President, will the Senator from North Dakota yield to me for one moment for a parliamentary inquiry?

Mr. GRONNA. Yes.

Mr. LEWIS. I tried to get the attention of the Chair when the conference report on the pension bill was before the Senate. I addressed the Chair at the time the motion was made to approve that report, but the Chair announced the approval, and I did not have an opportunity of presenting the query which I now desire to present.

The PRESIDENT pro tempore. Of course the Senator from Illinois knows that the Chair did not see him.

Mr. LEWIS. It was not intentional, of course. I am merely mentioning this now to give an excuse for interrupting at this time. I am being very much urged by all those interested in what is known as the Spanish-American War widows' pension bill to try to have it considered this evening. I know the condition of the business of the Senate; I realize the difficulty under which we are laboring. I desire to ask, as a parliamentary inquiry, if that bill, being on the calendar, having passed the other House, could be brought before the Senate in connection with the conference report, to be considered with the conference report or with other subject matters than that of the bill itself? Could it be tendered as an amendment in any form to the conference report on the Agricultural appropriation bill which is now under consideration?

The PRESIDENT pro tempore. The Chair is not aware of such a procedure being possible under the rules.

Mr. LEWIS. Then only by unanimous consent could the bill be taken from the calendar.

The PRESIDENT pro tempore. The Chair thinks that is so.

Mr. POINDEXTER. Mr. President—

The PRESIDENT pro tempore. The Senator from North Dakota has the floor. Does he yield to the Senator from Washington?

Mr. GRONNA. I desire to make a parliamentary inquiry, Mr. President. I understand that I can not yield except for a question. Otherwise, I should be glad to yield, but I do not wish to lose the floor.

Mr. POINDEXTER. I desire—

Mr. GRONNA. I want the ruling of the Chair as to whether or not I shall lose the floor by yielding.

The PRESIDENT pro tempore. The Chair understands that the rule has been rather strictly enforced during this debate, and the Chair will try to conform to the precedents in such cases, and will have to rule, if that has been the ruling heretofore, that the Senator from North Dakota would lose the floor by yielding.

Mr. GRONNA. I should be very glad to yield, but I do not wish to lose my opportunity of addressing the Senate on this conference report.

Mr. POINDEXTER. I desire to make a statement in regard to the point of order. It will only take a moment, not affecting the matter on which the Senator from North Dakota wants to speak, but relating to a matter to which the Senator from Illinois [Mr. LEWIS] referred.

Mr. GRONNA. I understand that; but I will say to the Senator—

The PRESIDENT pro tempore. The Chair will recognize the Senator from North Dakota when the Senator from Washington has concluded, if the Senate consent to that arrangement.

Mr. GRONNA. Very well.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. POINDEXTER. Mr. President, I should like very much indeed to see passed the bill for the pensioning of widows of Spanish War veterans, being calendar No. 203, and I will say

to the Senator from Illinois that it can be taken up upon motion. It is in order for any Senator who has the floor to make a motion to proceed to the consideration of that bill, and I very much hope that that will be done. If the Senate will adopt that motion, we can take up and consider the bill.

Mr. GRONNA. Mr. President, I will say at the outset that I prefer not to be interrupted during the course of my remarks. I regret exceedingly that I am compelled—

Mr. HITCHCOCK. Before the Senator from North Dakota proceeds I should like to have this matter a little better understood. Will the Senator yield to me for a moment?

Mr. GRONNA. If I am permitted to yield without losing the floor, I will do so.

Mr. HITCHCOCK. Do I understand that the Senator from South Carolina asked unanimous consent temporarily to lay aside the pending bill for the consideration of the conference report?

Mr. GRONNA. No; I did not so understand it.

Mr. HITCHCOCK. Was not that the Senator's request?

Mr. SMITH of South Carolina. No.

Mr. GRONNA. That was not the request. The Senator from South Carolina moved to take up the conference report.

The PRESIDENT pro tempore. The Senator from South Carolina moved to take up the report for consideration.

Mr. SMITH of South Carolina. Oh, I hope the Senate will understand that that was merely through an inadvertence on my part. I should have asked unanimous consent to lay aside the pending bill.

Mr. GRONNA. I decline to yield any further, Mr. President.

The PRESIDENT pro tempore. The Senator from North Dakota has the floor.

During the delivery of Mr. GRONNA's speech,

The PRESIDING OFFICER (Mr. JAMES in the chair). If the Senator from North Dakota will suspend a moment, the Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 390) to expedite the delivery of materials, equipment, and munitions, and to secure more expeditious construction of ships, in which it requested the concurrence of the Senate.

NAVAL CONSTRUCTION.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from North Carolina?

Mr. GRONNA. I said at the outset of my remarks that I should decline to yield, to show my good faith and that I do not intend to conduct a filibuster. I do not wish to be discourteous to the Senator.

The PRESIDING OFFICER. The Senator will allow the Chair to lay before the Senate the joint message from the House of Representatives.

The joint resolution (S. J. Res. 390) to expedite the delivery of materials, equipment, and munitions, and to secure more expeditious construction of ships, was read twice by its title and referred to the Committee on Finance.

Mr. SIMMONS. Mr. President, from the Committee on Finance I report back favorably to the Senate, without amendment, the joint resolution (H. J. Res. 390), and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. GRONNA. Mr. President, a parliamentary inquiry. Will that take me off the floor?

The PRESIDING OFFICER. It will not take the Senator off the floor.

Mr. SIMMONS. If it does, or if it should lead to any undue debate, I will withdraw it.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Joint resolution to expedite the delivery of materials, equipment, and munitions and to secure more expeditious construction of ships.

Resolved, etc., That the Secretary of the Treasury is hereby authorized to borrow on the credit of the United States from time to time such sums as may be necessary to meet emergency expenditures directed by the President for naval construction or the expediting thereof as may be authorized by law, not exceeding \$150,000,000, or to reimburse the Treasury for such expenditures, and to prepare and issue therefor bonds of the United States in such form and subject to such terms and conditions as the Secretary of the Treasury may prescribe: *Provided, That* the Secretary of the Treasury is hereby authorized to issue serial bonds of the United States maturing in equal amounts from date of issue to 20 years from date of issue, bearing interest payable semiannually at a rate not exceeding three per centum per annum: *Provided further, That* such bonds shall be issued at not less than par, shall bear interest not exceeding three per centum per annum, shall not have the circulation privilege attached, and that all citizens of the United States shall be

given an equal opportunity to subscribe therefor, but no commission shall be allowed or paid thereon; both principal and interest shall be payable in United States gold coin of the present standard of value, and shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority. In order to pay the necessary expenses connected with said issue of bonds a sum not exceeding one-tenth of one per centum of the amount of bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended as the Secretary of the Treasury may direct.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

During the delivery of Mr. GRONNA's speech,

N. I. STONE.

Mr. LEA of Tennessee. I ask unanimous consent to reconsider the vote by which Senate resolution 385 was adopted, in order that I may present an amendment.

The PRESIDING OFFICER. Without objection the motion to reconsider will be agreed to.

Mr. LEA of Tennessee. I move to amend the resolution by striking out the words "the Committee to Audit and Control the Contingent Expenses of the Senate," in line 1, and insert in lieu the words "the Secretary of the Senate."

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to pay out of the contingent fund of the Senate the sum of \$325 to N. I. Stone, in payment of his services as an expert for 13 days, at \$25 per day, pursuant to his employment by the Committee on Finance of the Senate of the United States and assignment to Senator ROBERT M. LA FOLLETTE, member of the Committee on Finance.

LIQUOR ADVERTISEMENTS.

Mr. BANKHEAD. I desire to call up the joint resolution (H. J. Res. 392) providing that section 5 of an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, shall not be in effect until July 1, 1917. I think there will now be no objection to it.

Mr. VARDAMAN. I have had a conference with the friends of prohibition, and we have agreed to interpose no objection to the consideration of the joint resolution, because we do not desire to do an injustice to anybody; and in order to give those people an opportunity to readjust their business to meet new conditions, we are going to permit the joint resolution to pass.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That section 5 of an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes, shall not be in effect until July 1, 1917.

Mr. LEA of Tennessee. Mr. President, I just want to say one word on the joint resolution. As one who has very consistently advocated the enactment of a prohibition statute, I am very glad to agree to this measure. It follows the policy that was adopted in the State of Tennessee of always giving a reasonable time for the people engaged in that business to accommodate themselves to the new conditions. Recently the State of Tennessee enacted a "bone-dry" law and made it to take effect on July 1, the same date as this, and I am glad to consent to it.

Mr. GRONNA. As I understand it, the time is extended until July 1?

The PRESIDING OFFICER. Yes; until July 1.

Mr. GRONNA. I was intensely interested in that same subject myself, but I think it is only fair to those people who are engaged in this business to give them time to adapt themselves to changed conditions.

Mr. VARDAMAN. I understood the Senator from North Dakota [Mr. GRONNA] has been conferred with as one of the friends of prohibition in this Chamber, and that he and others consented to the passage of the joint resolution.

Mr. GRONNA. I will say that I have not been consulted; I do not know anything about the joint resolution; but I can see the justice of passing a measure of this sort. I think perhaps it would be doing an injustice to these people if it should go into effect immediately, and I shall interpose no objection.

Mr. VARDAMAN. I think the Senator is right about that.

Mr. JONES. Mr. President, I was conferred with in reference to the measure. I think it but just and fair that this extension should be had, and I trust there will be no objection to it.

Mr. WATSON. I hope nobody will object, because the proposition is so manifestly fair. There certainly ought to be no objection to it.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GRONNA. I want to say, Mr. President, that I regret at half past 1 o'clock in the morning to address the Senate upon the conference report on the Agricultural appropriation bill. Of course those Senators who are not familiar with the importance of the question will perhaps believe that I am not going to discuss this measure because of its importance, but for the purpose of consuming time. I want to assure the Senate that such is not my purpose. I regret, Mr. President, that I have been unable to impress upon the conferees the importance of some of the legislation which has been excluded from this bill.

The Committee on Agriculture, of which I am a member, was kind enough to insert a provision in the bill providing for what is known as a milling test for fixing standards and grades of grain. It seems, however, that the conferees on the part of the House objected to this legislation. Now my purpose is to call the attention of the Senate to the importance of the amendment which was stricken from the bill.

It is possible that at this time, when the public mind is inflamed with questions of war, an industry like that of agriculture is not to be considered. I do not think, however, that it is possible for a great nation like the United States to be fully prepared unless we take into consideration this great industry. We appropriate in the naval bill alone some seven hundred million dollars for our national defense. We seem to have gone mad on the question of appropriating money out of the Treasury of the United States to be expended for war material to be used for the purpose of destroying human lives. However, there are a few of us who are unwilling to plunge this country into war. It would be better to take a small portion of these vast appropriations for the encouragement of the agricultural industry. The farmers of this country have been charged with being responsible for the high prices of food products. I am going to take the time this morning to show that, although certain grades of wheat command a high price, the farmer does not receive that price for his grain, but that the consumer, on the other hand, pays the high price based upon No. 1 grade of wheat, and that the consumer of bread is charged a high price on that same basis.

Mr. President, there has been a great deal said about the production of agricultural commodities. During the year 1915 we produced in this country more than 1,100,000,000 bushels of wheat; we produced more than 3,000,000,000 bushels of corn, more than 1,500,000,000 of oats, and more than 800,000,000 bushels of rye. There was a vast surplus in this country and we had to seek foreign markets for our products. We have appropriated money to improve our marketing conditions and it has been left to the Department of Agriculture to institute new and better methods of marketing grain.

Mr. President, farming is an old industry; it is an historic industry; it is an indispensable industry. I do not think that the people of the United States can say that they are fully prepared, either in times of war or peace, unless this great industry is taken care of. Yet, Mr. President, when we who live in the agricultural sections of the North and Northwest ask for an appropriation for what we consider and for what we know to be of the greatest importance to this industry we are met with opposition.

I do not think that I am revealing any secret when I say that I told the committee of conference that, so far as the appropriation contained in the amendment to which I refer is concerned, I believed the people of my State would be glad to make the contribution and appropriate the money asked for, but I insisted upon the legislation because it recognized a great fundamental principle.

As everyone knows who is familiar with the standardization of grain, wheat and other grains are standardized by a physical test, by weighing the grain and judging it by its appearance. I am going to show to the Senate that in the year 1915 the people of my State alone lost more than \$55,000,000 because of the present system.

I am first going to discuss wheat. Wheat to-day is sold on contract, based upon No. 1 northern. It must weigh a certain number of pounds to the bushel; it must contain a certain amount of the hard variety of spring wheat; it must have a certain color; it must be free from foreign matter. Everyone who knows anything about wheat and about the product of flour will realize that wheat contains first the epidermal cells, the outside of it, that is manufactured into what we call bran; then it has the aleurone, or the glutinous cells, and that is the most valuable ingredient of wheat. It also has the endosperm, or the starchy cells, which is the interior part of wheat, and which is not as valuable for flour as the aleurone, or the glutinous cells.

Now, why am I trying to show to the Senate that this is of any importance? In 1916 we had in my State and in the western country a great deal of hot weather, which caused the immature ripening of grain, and we had a great deal of light wheat. All this light-weight grain is sold, not by the measured bushel, but by weight. It is sold according to the standard fixed either by the grain trade or by the standards promulgated by the Department of Agriculture. That standard is at present based upon a physical test. I am prepared to show that this light-weight grain is worth nearly as much for milling purposes or for flour per bushel by weight as No. 1 northern wheat. I am going to introduce here this morning testimony which can not be contradicted by anybody. I am prepared to show that this light wheat contains nearly as much protein, or gluten, as we commonly call it, as the No. 1 northern wheat. Then I am going to show that the farmers in my State and in the State of Minnesota, in fact in all the Western States where the light-weight wheat was produced last year, received only 50 per cent of its actual value. I am going to show that out of 600 samples ground at the agricultural college of our State, and tested by that distinguished gentleman Prof. Ladd, who is a recognized authority as a chemist, there was a difference between the milling value of that grain and the actual price that the farmers received for it of 85 cents per bushel, and that the consumers paid for that product at a price based upon No. 1 northern; and yet you are wondering why I want to take up an hour or so, or two hours, to explain this proposition. It is a proposition that affects every farmer in the West who produces grain.

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER (Mr. JAMES in the chair). Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. Yes; for a question.

Mr. CLAPP. I was not in the Chamber when the report was brought in. Do I understand that the conference report has dropped out the Senate amendment with reference to the mill test?

Mr. GRONNA. Yes; I am sorry to say that it has.

Mr. CLAPP. I do not blame the Senator.

Mr. GRONNA. I will say to the Senator from Minnesota that it is not only a question of having left this amendment out of the bill, but, if I am correctly informed, it has not received even what I will call consideration—

Mr. POINDEXTER. Decent consideration.

Mr. GRONNA. Decent consideration, as the Senator says, by some of the conferees. Of course, Mr. President, I can not help the fact that some of these men are not familiar with the importance of this question. I am not to blame because these men have not been able to qualify themselves to judge of the importance of this matter.

I said a moment ago that I was going to show to the Senate the enormous loss to the farmers of my State; and the condition is the same every year. Every year, I say to the Senators, we have some shrunken wheat. The Senators on the other side of the Chamber have talked a great deal about the "high cost of living"; and when an honest effort is made to try to help you to solve the problem, you refuse to consider it. The consumers of this country, I say, pay the price based upon the highest-grade wheat; and it is not a small matter when you take into consideration the cost of bread to the American people. The legislative assembly of my State passed a bill on this subject, and it was signed by the governor of our State on the 14th of February. It is a matter of sufficient importance for the State to ask Congress to recognize this matter; and accompanying this concurrent resolution was a report—an estimate—showing that in the year 1916 the farmers of my State had lost \$55,000,000, due to the fact that the system of standardization is faulty and is working an injustice to the farmer.

Now, then, if you are going to take this \$55,000,000 from the farmers of my State, why do you not help me to make it possible to pass that on to the consumer? But you refuse to do that; you refuse to do it, because I have on former occasions called attention to this important matter. But you are making it possible for the middleman, the man who deals in secondary products, to enrich himself to this enormous amount, taking it out of the pockets of the people of my State and not passing any of it on to the consumer. What grieves me more than anything else, Mr. President, is that the Department of Agriculture, in its ignorance, if you please, does not realize the importance of this matter both from the standpoint of the producer and from the standpoint of the consumer.

Mr. OWEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. GRONNA. I do, for a question.

Mr. OWEN. I wanted to ask the Senator if I correctly understood him to say that by this modern method of standardization on the basis of its flour value, this shrunken grain would be worth very much more in the market than was paid on the old standards?

Mr. GRONNA. No; the Senator misunderstood me. I am making no criticism of the new standardization. The new standardization is the same as the old standardization. They have simply adopted the rules adopted by various chambers of commerce and boards of trade. I am not saying that it is due to the new standardization. This system has been going on ever since these chambers of commerce and boards of trade were organized, I will say to the Senator. Do not understand that I am trying to make it appear that this is a political question, because it is not.

Mr. OWEN. I did not so understand it. I thought the Senator said that on the basis of flour value shrunken wheat would be worth nearly as much as No. 1 wheat.

Mr. GRONNA. Well, here is what I said a moment ago, but perhaps I did not make myself clear: A kernel of wheat contains various ingredients, as the Senator knows. The outside of the wheat is what we call the epidermal cells. That is the bran, valuable for feed unless you grind the whole wheat and make it into what we call whole-wheat flour. But the cells next to the outside cells, which are commonly known as the glutinous cells, and which in the spring wheat are more valuable than in the winter wheat, are the most valuable for flour. Now, lightweight wheat may contain as much gluten as heavy-weight wheat, or nearly as much; and I have the evidence here to show it.

The Senator knows that wheat is supposed to weigh 60 pounds to the bushel, and it is sold by the bushel—sold by weight; and whether the wheat weighs 35 pounds or 40 pounds to the measured bushel, it always contains 60 pounds by weight. Now, I said a moment ago that I am going to show that wheat that weighs as low as 37 pounds to the bushel—

Mr. OWEN. Measured?

Mr. GRONNA. Measured would by weight make nearly as much flour as No. 1 northern wheat, due to the fact that it has practically the same amount of gluten but a less amount of starch, which is not so valuable for flour as gluten.

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Jersey?

Mr. GRONNA. Wait until I get through answering the Senator from Oklahoma.

The farmer is paid for this low-grade wheat on the standardization of a physical test. It has no grade at all. It is called feed wheat. These are abnormal times. A great war is going on in Europe and wheat has been exceedingly high, as the Senator knows—\$2 a bushel and more. At the time that wheat was worth \$2 and \$2.02 a bushel in the terminal markets this same wheat brought \$1 or \$1.10 a bushel to the farmer.

Mr. OWEN. You are speaking now of shrunken wheat?

Mr. GRONNA. Of shrunken wheat.

Mr. OWEN. Then the Senator's complaint, as I understand it, is that by that physical standard the farmer loses an important value which he would receive upon the flour-test standard?

Mr. GRONNA. Yes; and the most important point is that the consumers pay the high price for the flour.

Mr. OWEN. As I understand it, the Senator was trying to have inserted in the bill a provision that the test should be made upon its flour-value basis?

Mr. GRONNA. That it should be made upon the milling test or baking test.

Mr. OWEN. And that was dropped out of the bill?

Mr. GRONNA. Yes.

Mr. OWEN. The Senator feels that that will result in a harmful valuation upon this shrunken wheat? Is that the point?

Mr. GRONNA. Absolutely; the Senator is correct.

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Jersey?

Mr. GRONNA. I will yield to the Senator from New Jersey, if I may, for a question.

Mr. HUGHES. I rose for the purpose of asking the Senator if he would have any objection to a request for unanimous consent to close the debate on this conference report at half-past 2?

Mr. GRONNA. I do not think that is necessary. It is not a new matter and I shall not unduly delay the Senate. I realize

that this is a question that perhaps is not appreciated by some Senators here.

Mr. President, I made certain statements as to the value of this grain and I shall proceed to furnish the testimony.

Dr. E. F. Ladd is, as I said a moment ago, one of the greatest chemists in the United States. He is well known not only in our country but in the East, not only in the United States but in foreign countries. We have been fortunate enough to keep this great man in our State. He has for a quarter of a century been opposing the influences that have been reaping the benefit from the systems inaugurated by these associations. I do not know how many times he has been sued. I know that a suit was brought against him for \$100,000 at one time. Some of the great corporations of this country have instituted suits against him because he has made it known to the public that their products have not at all times been pure, and it has taken not only every dollar that he has been able to earn, but the farmers of my State have had to contribute to carry on these suits. As a rule they have been taken to the highest courts; they have not succeeded in getting him behind the bars or imprisoned as they have tried to do. I read from the report of Dr. Ladd.

I find that on October 7 Mr. P. Torvis brought in wheat weighing 39 pounds to the bushel, the weight of that wheat being 34 bushels and 36 pounds. There were 213 pounds of screenings, leaving net weight of 31 bushels and 3 pounds of clean wheat. This same wheat made, when ground into flour, 846 pounds of straight flour, 40 pounds of low grade, 610 pounds of bran, 305 pounds of shorts, and there was a loss of 3.38 per cent in milling. The mill value of this wheat was \$1.88 per bushel.

On October 10 Mrs. A. Holm brought in wheat that weighed 46 pounds, gross weight 39 bushels and 51 pounds, 140 pounds of screenings, making 37 bushels and 31 pounds of clean wheat. This lot of wheat made 1,127 pounds of straight flour, 50 pounds of low-grade flour, 666 pounds of bran, and 333 pounds of shorts. There was a loss in milling of 3.45 per cent. It had an actual value of \$1.96 per bushel, or 4 cents less than No. 1 northern wheat; yet this same grade will be what we call D feed wheat, and it has been sold by the farmers of my State all the way from 85 cents to \$1.10 a bushel, and it is sold by the farmers of every State in the same way at a great loss where they raise shrunken wheat.

I think that Senators from the southwestern country, where you always will have some shrunken wheat, should be considerate. I will say to you that it is worthy of some consideration. But for fear that you might think that my statement that the farmers were only receiving 50 per cent of the actual value of this wheat is incorrect, I am going to give you a few more cases, although I am not going to take the time to go into it in detail. I am going to give a few of these tests.

On the same day, October 10, Mr. T. Bailey brought in wheat that weighed 39 pounds to the measured bushel. He brought in 30 bushels and 33 pounds gross.

Mr. LEA of Tennessee. Will the Senator yield to me while I make a parliamentary inquiry?

Mr. GRONNA. Yes; just as soon as I get through with this item I will yield to the Senator.

There were 400 pounds of screenings, leaving 23 bushels and 53 pounds of clean wheat. This lot made 770 pounds of straight flour, 62 pounds of low grade, 369 pounds of bran, 184 pounds of shorts. There was a loss in milling of 3.48 per cent. This wheat had a milling value of \$2.12 a bushel, worth as much as any No. 1 northern wheat brought on the market that day.

[At this point Mr. GRONNA yielded to Mr. LEA of Tennessee.]

Mr. GRONNA. Mr. President, I realize that this is a mighty dry subject, to go into some of these statistics, and yet I feel that it is important, because I am going to try if I can to make an impression not only upon the Members of the Senate, but upon the Agricultural Department who, I think, will need some information upon the subject, just as much so as the Members of this Senate. I do not expect, Mr. President, that it is possible for the Senators to be familiar with a subject of this kind, because it is a question that requires years of study. I am only deploring the fact that I have been unable to impress upon the House conferees the importance of this amendment.

I find that on October 10 Mr. Tweeten brought in wheat that weighed 47 pounds to the bushel. He brought in 28 bushels and 18 pounds. It contained 68 pounds of screenings, leaving a balance of 27 bushels and 10 pounds of clean wheat, which made 850 pounds of straight flour, 36 pounds of low grade, 460 pounds of bran, 230 pounds of shorts, and there was a loss in milling of 3.38 per cent. This wheat had a milling value of \$2.01 a bushel, and this is what they call D feed wheat, which has been sold in the terminal markets in Minneapolis, Duluth,

Chicago—in fact, all the terminal markets—for about 50 cents on the dollar.

The consuming public has paid the real milling value of the wheat. I think it is about time for Congress to take some action upon a matter so important—a matter affecting every individual in the United States, because this is a food product which is used by every citizen of our country.

I find that on the 11th day of October Mr. P. R. Sande brought in wheat that weighed 41½ pounds to the measured bushel. He brought in 38 bushels and 39 pounds gross, containing 272 pounds of screenings, making 34 bushels and 7 pounds net. This made 885 pounds of straight flour, 57 pounds of low-grade flour, 692 pounds of bran, 345 pounds of shorts; it lost in milling but 3.32 per cent, and had a milling value of \$1.85 per bushel. This wheat weighed to the measured bushel only 41½ pounds instead of 60 pounds. No. 1 northern must weigh not less than 57 pounds to the measured bushel. This wheat was worth for milling purposes within 15 or 16 cents per bushel as much as the best wheat.

On this same date Mr. A. Swanson brought in wheat that weighed 49½ pounds to the measured bushel. He brought in 30 bushels and 3 pounds gross, making 29 bushels and 27 pounds net; the screenings, 36 pounds; leaving 29 bushels and 27 pounds. This lot made 950 pounds of straight flour, 38 pounds of low-grade flour, 481 pounds of bran, 340 pounds of shorts, and there was a loss in milling of 3.28 per cent. The value of this wheat was \$2.03 per bushel.

On the same date Mr. Olaf Isakson brought in wheat that weighed 49½ pounds to the measured bushel. He brought in 29 bushels and 32 pounds gross; screenings, 39 pounds; leaving 28 bushels and 53 pounds net. This lot made 911 pounds of straight flour, 40 pounds of low-grade flour, 483 pounds of bran, 241 pounds of shorts. There was a loss in milling of 3.31 per cent. This wheat had a milling value of \$2 per bushel.

On October 13 William Lutch brought to the mill wheat that weighed 52.5 pounds to the bushel. He brought in 32 bushels 24 pounds gross; screenings, 88 pounds; leaving 30 bushels and 56 pounds net. Out of this lot there was manufactured 1,025 pounds of straight flour, 90 pounds of low-grade flour, 453 pounds of bran, 226 pounds of shorts. There was a loss in milling of 3.45 per cent. This wheat had a milling value of \$2.08 per bushel.

On October 14 Mr. Carl Johnson brought in wheat that weighed only 38 pounds to the bushel. He brought in 39 bushels and 20 pounds, containing 225 pounds of screenings, leaving 35 bushels and 35 pounds of clean wheat. Out of this lot was manufactured 1,090 pounds of straight flour, 29 pounds of low-grade flour, 630 pounds of bran, 315 pounds of shorts. There was a loss of 3.25 per cent in milling. This wheat was worth \$2 a bushel, though weighing only 38 pounds a bushel.

Now, you will observe that while this lot of wheat made 1,090 pounds of straight flour there were only 29 pounds of low-grade flour, which corroborates my statement that shrunken wheat contains less endosperm, or what is commonly known as albumen or starch, showing absolutely that it is the glutinous portion of the wheat that is valuable for flour.

I would not take the time of the Senate this morning and attempt in my feeble way to give you this information were it not for the fact that I want the Record to show that the Agricultural Department needs education in order to enable their experts to do justice not only to the farmer, but in order to benefit the consumer. We who know something about wheat and about other grain realize that the conditions are not always so bad as they were in 1916. When we produce plump heavy wheat we of course receive better prices, because it is impossible—but perhaps I should say that it is not good policy—for the men who absolutely control and dictate the prices of the products of the farm to attempt to pay the producer 50 cents on the dollar for products that everybody knows are worth more.

We have for many years in my State known the value of a milling test. It is not a new subject to us. Those of us who are living in the spring-wheat belt know that shrunken wheat, lightweight wheat, contains nearly as much gluten and is worth nearly as much for milling purposes as is the plump, heavyweight wheat. But what is the practice of the boards of trade or chambers of commerce? Senators who are familiar with the transactions in the grain trade will know that I am telling the truth when I say that they are paying pretty close to the real market value for the high grades, and then there is an immense spread between the higher grades and the lower grades.

I argued before the Agricultural Committee of the Senate and tried to tell the expert who was charged with the duty of fixing these standards of the value of the system which I proposed; and if I had the linguistic ability of the Senator from

Illinois [Mr. SHERMAN] I would undertake to characterize the expert referred to, but, as I have not that ability, I shall not attempt a proper characterization, but will content myself by saying—and I have said it in the committee, as the chairman of the committee knows—that it occurs to me that these great experts who are employed at the expense of the Government appear to be more friendly to those who are dealing in the secondary products than they are to the men who are the real producers. When I said the other night that I had received letters from my constituents suggesting that the name of the Agricultural Department be changed to the Department of Packers and Millers, I was only stating what was proposed by men who realize that these experts are not the friends of the producers. Neither are they the friends of the consumers. If North Dakota loses \$55,000,000 in one year, and that in a year when we have a small crop, and it is charged to the consumer, I ask what is the loss to the American farmer and what is the additional expense to the hundred million consumers in the United States?

I want to say to Senators that it is a serious proposition. There is a cry for cheaper bread. The Democratic Party said that if we took the tariff off of wheat and off of grain that would reduce the cost of living; that it would furnish the American people with cheaper products for their breakfast table. Have you brought that about? No; and yet when we who know the value of these things propose to assist you you refuse to hear us. I know the farmer has no paid lobby, and the farmer has no time to complain, because he is kept busy on the farm. It takes from 4 o'clock in the morning until late at night for him to do his work.

Talk about preparedness! Is there any industry that is more valuable to the country in time of war than the agricultural industry? What did Germany do after the war which she had with France? Did she not immediately proceed to take care of her agricultural interests? What is England doing to-day, even during the time that the war is going on? Read the records and you will see that she is expending hundreds of thousands of dollars for the purpose of improving agricultural conditions in England. Yet, when we come to Congress and ask for the paltry sum of \$25,000 we are denied. We care not for the \$25,000; we will subscribe that and donate it to the Government, but we do ask you to recognize the system, for we know how important that is to us and to you. The Senator from South Carolina knows how long it took him to make certain officials recognize the value of his proposition for standardizing cotton. The principle is the same in the case of wheat. It is a fundamental proposition; it is not a pork proposition; it is a proposition with which every individual of this country is concerned.

We appropriate over \$20,000,000 a year for the Agricultural Department to carry on its work. I am not here to make criticisms of all the officers of the Agricultural Department, but I do think that some of the experts who have been so aptly and picturesquely described by the distinguished Senator from Illinois ought to begin to realize that we in the West are not asleep. Our boys and our girls are being sent to institutions of learning. While it is true that every farmer can not afford to give his boy and his girl a college education, many college graduates will be found on the farm, not because there is any profit in it, but because they love the industry. But when I heard Senators tell me the other day that anybody can farm I gave them no reply, because it was not worthy of a reply.

Mr. SHERMAN. Mr. President, will the Senator permit an inquiry?

Mr. GRONNA. Yes.

Mr. SHERMAN. Perhaps the experts of the Agricultural Department have mistaken the "shorts" that the Senator has been reading about in connection with the yield of wheat for the "shorts" in the peace-note leak.

Mr. GRONNA. I do not know, Mr. President. I do not want to attribute any motives to the men, but I do think many of them are ignorant of these things. Now, in olden times, away back during the time of Abraham, in days of old, agriculture was considered not only an honorable industry—

Mr. SHERMAN. He was a live-stock man.

Mr. GRONNA. Yes; Abraham was a live-stock man. I know that. I know that Job had 500 yoke of oxen, too—patient Job—but it was in a crude form that agriculture was carried on, as I say, at that time, and yet it was recognized by those who enacted the laws in those days as a very important industry.

The nations of antiquity ascribed to agriculture a divine origin. Brahma in Hindustan, Isis in Egypt, Demeter in Greece, and Ceres in Italy were its founders. Ceres, the god-

ness of agriculture, especially in the cultivation of grain, was the goddess of earth in the capacity of bringing forth fruits, especially watching over the growth of grain. This, of course, is all mythological history, but it nevertheless shows that agriculture has at all times and in all ages been regarded as important. Some of those countries really believed that agriculture was more important than any other industry, and I think it is to-day. It is not the only industry to be considered, but it ought to receive more consideration than it does receive at the hands of Congress, and especially at the hands of those who are supposed to look after the welfare of the farmer.

I said a moment ago that these tests were being made by Dr. Ladd. If I had the time I could show you that tests were made on a small flouring mill in the State of Minnesota, in Senator CLAPP'S State, and that these same tests were being made at Phelps, Minn., at a commercial mill. The statement of Dr. Ladd is corroborated; and this report, Mr. President, I will ask unanimous consent to print, because I do not wish to delay the Senate by reading it.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears none.

The matter referred to is as follows:

ANOTHER BROADSIDE FROM LADD—FOOD COMMISSIONER ISSUES NEW OFFICIAL BULLETIN ON LIGHTWEIGHT WHEAT GROUND AT MINNESOTA COMMERCIAL MILL.

Dr. E. F. Ladd, North Dakota pure-food commissioner and president of the agricultural college, has issued another broadside in regard to the 1916 crop of lightweight wheat. The new bulletin, out last week, tells of the milling of rust-hit, lightweight wheat at the now famous Maine Roller Mill at Phelps, Minn. It is an official report, with official tests and figures, confirming the unofficial investigations of the non-partisan newspaper which had a series of articles on this and other custom Minnesota mills which have proved that the so-called poorer grades of wheat, especially that bought by elevators and mills since last year, make in most instances as good, and sometimes better, bread than heavier wheat, though the farmers are forced to part with it for a song.

Dr. Ladd's latest bulletin follows:

THE MAINE MILL.

[By Dr. E. F. Ladd, State food commissioner.]

There has been a feeling that the tests made upon the experimental mill at the agricultural college might not represent the results which are obtained in the commercial milling of wheat. For the purpose of gathering information on this point, and to determine to what extent there might be a variation in results in the commercial mill from those secured in the experimental mill at the college, it has seemed best to gather some data. We were informed that at Phelps, Minn. (Underwood post office), was located the Maine Roller Mills, with W. E. Thomas as proprietor, from whom much valuable information might be gathered. On writing for information, the following letter was received:

MILLER OF MAINE WRITES TO LADD.

PHELPS (UNDERWOOD POST OFFICE), MINN.,

November 27, 1916.

Prof. E. F. LADD,

President North Dakota Agricultural College.

DEAR SIR: Replying to your inquiry of the 21st instant, regarding value of lightweight wheat and amount and quality of flour it will produce, will say that I am grinding for the farmers, running night and day, on wheat which tests from 35 pounds to 53 or 54 pounds to the bushel, and it is surprising what an amount of flour some of the lightweight wheat is turning out. Wheat that tests 37 pounds per bushel, perfectly clean and ready for milling, is turning out 25 pounds flour per bushel. Some wheat testing 38 pounds in the dirt is making 28 to 30 pounds, and it is good flour, too; it is strong and rises quick and makes light, nice bread, but it is a trifle more yellow than flour made from the best grades of wheat.

I am grinding for cash and asking the farmers to bring me 30-bushel grists and am making them flour out of their own wheat as nearly as possible. I charge them 15 cents a bushel for grinding, and I give them back their screenings and all the flour the wheat will make and bran and shorts enough to make up 58 pounds for every 60 they bring here.

The wheat is cleaned through six different cleaning machines before it is ground, and from three of these machines the dust is blown out of the mill, so I am sure there is from 1½ pounds to 2 pounds waste in cleaning and grinding.

The farmers are all well pleased with this way of grinding and are getting more flour from their wheat than they expected to get. Some of them wonder where it all comes from. They are coming 30 to 35 miles from all directions, and some of them waiting for their grists three or four days. We are swamped with wheat, and lots of it is piled up on the ground outside of the mill. The farmers are finding out that this low-grade wheat will make flour, and lots of it.

Yours, respectfully,

W. E. THOMAS.

INVESTIGATORS SENT TO OBTAIN FACTS.

Having received the foregoing it was deemed desirable to have a personal inspection made and more complete data gathered. Therefore Thomas Sanderson and W. C. Palmer were requested to make the investigation. They report that they found farmers coming with grists from 30 to 35 miles from all directions, some coming through towns and villages in which are located up-to-date commercial mills. The wheat came faster than could be ground and there were accumulated outside of the mill at least 1,000 sacks of wheat.

In reply to requests for information, Mr. Thomas stated:

"My customers all know now that I want, if possible, a grist of at least 30 bushels. Of course, I get some that are smaller, but I like them to run not less than 30 bushels, if possible. Each farmer's grist is taken in and weighed, and then run over six different cleaning machines, the screenings taken out of the wheat, weighed, and returned to the farmer. The clean wheat is run through the mill, and we return to the farmer all the flour from his grist and feed enough to make 58 pounds for every bushel of wheat he has after deducting the weight of screenings from the gross weight for grinding, and I find the farmers are all well satisfied."

The mill is run by water power and has a capacity of 85 barrels of flour in 24 hours when working on good wheat. The building is three stories above the basement, heated with hot water.

GRIST-BOOK DATA SHOW THE RESULTS.

The following data were taken from the grist book at the mill office and is a copy of about 2½ pages of the same. The first 19 entries were taken from work done the first part of October when the bran and shorts were weighed separately. The balance of the data was taken just prior to and during the time Messrs. Sanderson and Palmer were at the mill. Mr. Carl Shole, who had a grist at the mill and got the results of the last grist as shown in Table I, informed us that the best offer he could get on the market for his wheat was \$1.50 per bushel when No. 1 northern was selling at \$1.81 per bushel. This would give him a market value of \$1.37 for his wheat based on values shown in the table below, or a gross profit of 68 cents per bushel. On this grist of 31 bushels and 10 pounds this would be \$21.19 less 15 cents per bushel for grinding, leaving \$16.51 and a profit over value of wheat of 38.68 per cent. The average of these 49 grists, as shown by the table, and based on local values quoted in Fergus Falls December 2, 1916, would be a gross profit of 87 cents per bushel; and on the average grist of 29 bushels and 23 pounds would be \$25.56 less 15 cents per bushel for grinding, leaving \$21.15, a profit over value of wheat of 65.44 per cent.

MARKET VALUES AT FERGUS FALLS DECEMBER 2, 1916.

As quoted to Messrs. Sanderson and Palmer at one of the commercial mills, were as follows:

Patent flour, \$5.15 per sack of 98 pounds; straight flour, \$5.05 per sack of 98 pounds—very little going out; low grade, \$2.50 to \$3 per sack of 98 pounds; bran, \$30 per ton; shorts, \$32 per ton; mixed feed, \$31 per ton; No. 1 wheat, \$1.68 per bushel; no grade, test weight, 40 pounds, 96 cents per bushel.

EXPLAINS METHODS OF FIGURING USED.

The values used in the deductions in the following tables are the same as above, except the straight flour, which we assume to be worth \$5 per 100 pounds, low grade \$2.50, screenings 75 cents per 100 pounds, and as the average test weight of the samples on which this data was obtainable was 45 pounds we have assumed the wheat to be worth \$1.10 per bushel.

Of the data in the following table, No. I, the first 10 columns were taken from Mr. W. E. Thomas's grist book, the next 6 columns are the percentages of the different mill products of each lot of wheat, and the last column the value of the mill products from a bushel based on the percentage of products as shown and at the market values above quoted.

In Table II will be found the milling and baking results of five different grists that were milled while Messrs. Sanderson and Palmer were at the mill. These represent a fair average of the wheat coming to the mill.

TABLE I.—Milling results taken from Phelps Mill grist book, Dec. 1, 1916.

Date.	Name of producer.	Weight per bushel.	Before cleaning.		Screenings, clean.	Clean wheat.		Straight flour.	Low-grade flour.	Bran.	Shorts.	Per cent lost in milling.	Value, mill products.
			Bushels.	Pounds.		Bushels.	Pounds.						
Oct. 7	P. Torvis	39	34	36	213	31	3	Pounds. 846	Pounds. 40	Pounds. 610	Pounds. 305	3.38	\$1.88
10	Mrs. A. Holm	46	39	51	140	37	31	1,127	50	666	333	3.45	1.96
10	T. Bailey		30	33	400	23	53	770	62	369	184	3.48	2.12
10	Tweeten	47	28	18	68	27	10	850	36	480	230	3.38	2.01
10	T. Mokler		30	7	307	25		705	34	472	237	3.35	1.95
11	P. R. Sande	41.5	38	39	272	34	7	885	57	692	345	3.32	1.85
11	A. Swanson	40.5	30	3	36	29	27	950	38	481	340	3.28	2.03
11	Olaf Isakson	49.5	29	32	39	28	53	911	40	483	241	3.31	2.00
13	William Lutch	52.5	32	24	88	30	56	1,025	90	453	226	3.45	2.08
14	Carl Johnson	38	39	20	225	35	35	1,090	29	630	315	3.25	2.00
14	Halverson		27	18	72	26	6	866	26	416	207	5.50	2.06

TABLE II.—Milling and baking results from wheat secured at Phelps, milled at North Dakota Experiment Station, and milling results of the same wheat milled at Phelps, flour from same baked at North Dakota Experiment Station.

SAMPLES MILLED AT NORTH DAKOTA EXPERIMENT STATION.

Laboratory number.	Weight per bushel.		Loss in cleaning.	Flour.	Feed.	Loss in mill.	Water absorbed.	Loaf volume (c.c.)	Score.		Receipts.
	Before cleaning.	After cleaning.							Color.	Texture.	
	Pounds.	Pounds.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.				Per bu.
3381	44	47.5	13.61	57.45	38.39	4.16	54.7	2,370	89	90	\$2.1418
3382	50	54.5	6.85	62.97	33.19	3.84	54.1	2,335	93	92	2.2086
3383	33.5	39	21.68	47.91	45.09	7.00	57.1	2,380	79	85	1.9541
3384	40.5	46	15.67	57.63	36.85	5.52	56.5	2,290	55	68	2.1421
3385	56.5	57	.77	62.93	32.33	4.74	52.9	2,340	93	95	2.1920

SAMPLES MILLED AT PHELPS, MINN.

3381	44	47.5	12.43	46.27	49.67	4.06	51.5	2,370	91	89	\$1.9060
3382	50	54.5	4.88	51.04	42.13	6.83	50.0	2,400	94	88	1.9450
3383	33.5	39	14.31	38.52	58.20	3.28	51.8	2,410	91	88	1.7613
3384	40.5	46	13.66	51.33	45.50	3.17	51.5	2,735	89	88	2.0245
3385	56.5	57	.96	59.18	37.57	3.25	51.5	2,215	92	90	2.1291

Having secured a sample of the flour and a sample of the wheat from each of these five grists they were given the following laboratory numbers:

SAMPLES GIVEN LABORATORY NUMBER.

3381. Wheat from Emil Schleske, Fergus Falls, Minn., R. R. No. 5.
 3381a. Milled at Phelps mill—same wheat as 3381.
 3382. Peter O. Jensen, Dalton, Minn., R. R. No. 3—wheat.
 3382a. Milled at Phelps mill—same wheat as 3382.
 3383. C. J. Damlo, Richville, Minn.—wheat.
 3383a. Milled at Phelps mill—same wheat as 3383.
 3384. Emil Stub, Elizabeth, Minn., R. R. No. 1—wheat.
 3384a. Milled at Phelps mill—same wheat as 3384.
 3385. L. Reinhardt, Richville, Minn., Box 16—wheat.
 3385a. Milled at Phelps mill—same wheat as 3385.

In compiling the data for these samples the percentage of low-grade flour is added to the percentage of straight flour and the sum is used as total flour in the data from the Phelps mill, and it is assumed to be worth \$5 per 100 pounds. And in the data for the samples milled in the experimental mill the percentage of bran and shorts are added together, using the sum as total feed and assuming it to be worth \$1.55 per 100 pounds.

The baking results as shown are for the straight flour without the low grade added for the Phelps mill, and, as will be observed by the percentage of flour obtained, the amount represented by the baking results as shown are for this total flour for the experimental mill.

COMMERCIAL MILLS GET BETTER SHOWING.

To compare actual results as shown by the figures from the Phelps mill with the work done in a commercial mill would hardly be a fair comparison, because the commercial miller has a much better chance to make a good clean-up than a mill running under the conditions existing in this one. In the commercial mill the wheat is all blended, and the stream of wheat coming on the rolls is kept as nearly alike as is possible to do for days or even weeks at a time, giving the miller a chance to make determinations and know exactly what he is doing in the matter of quantity as well as quality of products obtained, whereas a mill doing a gristing business may have fairly good wheat for a while, and other grists may go to the other extreme. The matter of adjusting the mill to suit the two extremes in this crop is almost a physical impossibility and get the best results possible from each grist. If this mill was doing an exchange business and could keep the amount of wheat ahead which they had piled up in sacks with a chance to blend so as to make an even run of wheat on the mill, it would be possible to make a better clean-up and a more satisfactory flour to all of their customers. This method, however, would not be as fair to the individual farmer.

All of the farmers who came to the mill while there were interviewed. Many of them were having wheat ground every year; two had the second grist in this year; others had tried their flour at home; and they were all satisfied with the results of their business transactions at the mill, also with the bread obtained from the flour at home. These statements seem to be conclusively proved by the figures in the table showing individual results of the samples milled at the Phelps mill. The samples milled in the experimental mill at the college do not show quite as good baking results in some of the factors, but a study of the milling results will show the reason. It will be noticed that a higher per cent of flour was secured in each case, together with no purification of middlings which would make some difference in color, the average color score being about three points below the minimum allowed for a Minneapolis standard patent. Individually two of the five wheats in the experimental mill at the college score below a standard straight flour and only one of those milled at Phelps scores below a standard patent.

The average market value of this wheat is \$1.10 per bushel; the average value of the mill products from a bushel milled here is \$2.13, or a gross gain of \$1.03 per bushel; and the average value of the mill products from a bushel as milled at Phelps is \$1.95, or a gross gain of 85 cents per bushel.

The amount of wheat milled during the 24 hours spent in the vicinity of the Phelps mill was 319 bushels 3 pounds, gross weight, from which the farmers received the following mill products:

Screenings—1,613 pounds, at 75 cents per 100 pounds	\$12.10
Straight flour—8,309 pounds, at 85 per 100 pounds	415.45
Low-grade flour—408 pounds, at \$2.50 per 100 pounds	10.20
Feed—8,138 pounds, at \$1.55 per 100 pounds	126.14

Total 563.89

Total number of pounds, 18,468.

Value—319 bushels 3 pounds, at \$1.10 per bushel— 350.96

Gross gain— 212.93

Less grinding charge, 15 cents per bushel— 47.86

Net gain to farmers— 165.07

or 47.03 per cent over cost of wheat, or a net gain per bushel of clean wheat of 56.5 cents and a cost of 16.4 cents per bushel for milling the clean wheat.

As stated, the average value of this wheat, according to the local market, would be \$1.10 per bushel. With the 16.4 cents per bushel for grinding the clean wheat would make \$1.264 the actual cost value of the mill products per bushel. According to the table the average market value to the consumer is \$1.97 per bushel, or about 71 cents per bushel as middlemen's profit and cost of distribution. Or, in other words, the cost of distribution of mill products from the mill door to the consumer is 56.7 per cent over cost of raw material and manufacture.

GET GOOD BREAD FROM THIS FLOUR.

From the data already given it would seem that the results at the commercial grist mill do not differ materially from the data secured at the experimental mill. The higher percentage of total flour, being due to a better cleaning up in the experimental mill at the end of each cut-off than in the case of the commercial grist mill.

From the cut illustrating the loaves of bread it is clearly evident that the flour produced at both the commercial and the experimental mills is capable of producing a good loaf of bread. The upper row in the cut shows the bread produced from flour made at the experimental mill, while the lower row is from that produced at the commercial mill at Phelps, Minn. At the extreme left in each case the loaf of bread is made from the standard flour of the crop of 1909, and does not show any advantages over the bread produced from some of the other flours of the commercial mill or of the experimental mill.

Mr. GRONNA. This report shows that this commercial mill, which is doing custom work for the farmers of that country, corroborates the statement made by the food commissioner of our State; and he is not only food commissioner, but he is president of our agricultural college.

I do not expect to be able to get this provision enacted into law at this time, but I do hope that those who have listened and heard my remarks on this important question will take sufficient time during the next session of Congress so that they will be willing to deal more fairly with us in the next Congress than they have during this Congress. I do not wish to see the Agricultural bill defeated. I realize that it carries a very important provision, and that is the provision which increases the salaries of the clerks in the Agricultural Department, who really need it. I believe the bill ought to pass, and I want it to pass. I realize, Mr. President, that the people who are employed in these departments, who are paying 100 per cent more for their flour, who are paying \$5 per hundred pounds for flour that the farmer has sold for \$2.50—I realize that they deserve, and are entitled to, an increase. I believe in the great industries of this country. I believe that we ought to manufacture all of our products here at home. I am willing to deal fairly with these great industries. But, sir, I do not want them to rob the producer at the expense of the consumer. If ten hundred million bushels of wheat were to be ground into flour, based upon a price of \$1 per bushel, there would be \$500,000,000 loss to the American farmer, and it would be taken out of the pockets of the American consumers, would it not? Yet you wonder why I want to establish a milling test.

I realize, Mr. President, that the Members of this Senate know very little about the great industry of agriculture. I have long ago discovered that very few of the Members of this

body take into consideration the great possibilities and the great future of that industry, and the possibility, I say, of lowering the cost of living to the consumer away below what it is to-day. We realize that the press is against us. We never expect to be able to get even a pleasant smile from the press. "It is only a farmer, and anything is good enough for a farmer." Yet I do not want you to forget that there are 35,000,000 good, honest souls living on the farms of this country, and progressive North Dakota has seen the light; and I am proud to say we do not even let partisanship interfere with us. We have organized in our State a nonpartisan league. We ask no questions as to a man's party or as to his politics. We have to-day three newspapers of our own. We have built in the city of St. Paul, right on the banks of the Father of Waters, a terminal elevator having a capacity of a million bushels, at a cost of a quarter of a million dollars, and it is all paid for.

We are meeting with the same opposition in trying to handle our own products that we are meeting with here when we are asking for legislation beneficial to everybody. We find that these great milling concerns refuse to buy from us direct. "Unless you belong to the Board of Trade, we will not buy your wheat." We have been told that, and not only been told it, but it is an actual fact; and what is true of wheat is true of all the products raised on the farm. It is just as true with reference to live stock as it is to grain; and we have been compelled to organize and establish stockyards of our own in the city of St. Paul. But do you suppose that Swift & Co., Armour & Co., or any of the large packing concerns will buy live stock from this farmers' concern? No. The only market we have is the farmer and the small packer.

Now, we intend in North Dakota to establish our own packing plants. We realize that what we have done in the marketing of grain we must do with reference to live stock; and if I wanted to consume time I could show you that right in the stockyards in the city of Chicago the same thing is practiced with reference to live stock that is practiced with reference to grain. You will see the headlines in the papers where prime steers brought a tremendously high price, and then read on down and see what 95 per cent of the sales that day averaged. I know, because I have had the experience.

I have no criticism to make against these people who have made millions of dollars at the expense of the toiling farmer of this country; but I want them to leave us some of the profits which they are making. I want to make it possible for these men who are living upon the farms to give the same opportunity to their children, to send them to school, and to educate them, as do the men who are engaged in other industries.

I do not want you to think that it is from a personal standpoint that I make reference to these great corporations, because it is not. I have always welcomed their opposition, and I am thankful that I have always had it. But I want to call attention to the fact that the day has come when the American farmer is going to be heard, and this old bogey of "Liverpool fixing the prices" is not going to continue much longer. The American farmer will insist that his business shall be organized and based upon sound business principles, the same as any other business or any other industry; and I want to say to you people that they will not care to which party you belong. They are well aware of the fact that the great corporations, men who are engaged in these great industries, do not care who represents them, just as long as they are faithful to their interests. The farmers are beginning to know that these great corporations do not care what your politics are so long as they can go on and reap these great, these enormous profits, and levy a tax upon the bended backs of the toiling millions of this country, and, worst of all, make the consumers pay for it.

Mr. President, I feel that I ought to take more time, because this is a question of such great importance. I want to say, before I close, that when the Senator from Florida introduced his amendment the other day—an amendment so important to the industries not only of his part of the country but to other sections of the country, and it was a question that is fundamental to the producers—you found that I voted for it, and that I spoke in favor of it.

Now, Mr. President, I hope that what I have said on this question, while it has not entered the minds of a great many Senators here, will be read by these great experts in the Department of Agriculture, and that it will enlighten them sufficiently to cause them to give some attention to this publication, because I know what I am talking about. I think I understand this question both from the standpoint of the producer and the standpoint of the consumer. I have only discussed it in a very brief manner; I have hardly touched upon one of these great cereals, but what is true of one is true of them all, and I hope that when the next Congress shall meet the members of the

Agricultural Committee of this body and of the other body will give it at least respectful consideration, and that it may be possible to make an impression upon these learned men, these experts in the Agricultural Department. If what I have said will accomplish that, I shall feel justified for taking this time to explain as I have to those who have honored me with their presence. I do not care to further prolong the debate, and unless some other Senator wishes to discuss it I am ready for a vote.

NEWS-PRINT PAPER INVESTIGATION.

The PRESIDENT pro tempore laid before the Senate the report of the Federal Trade Commission relative to the news-print paper investigation, which was referred to the Committee on Printing.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. I ask to have printed in the RECORD a statement from Gen. Black, Chief of Engineers, as to the effect of the failure of the river and harbor bill (H. R. 20079).

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, February 24, 1917.

1. It is practically impossible to give any reliable estimate of the loss to the Government or of the damage to navigation interests that might be caused by the failure of the pending river and harbor bill to become a law, but it can be positively stated that the loss would run into hundreds of thousands of dollars, and that serious consequences to shipping would result. The loss in dollars and cents results from disorganization of working forces, as well as loss of work partially done. Every large work which involves the employment of day labor is much more effectively prosecuted after the work is well organized and the men are accustomed to their various duties, and the closing down of the various works involves the scattering of the well-organized forces and the loss of competent men. The competent men find employment elsewhere, and it is only by a long process of sifting, requiring several months, upon resumption of the work, that the forces again become well organized and as effective as when the work was closed down. This fact is so well recognized that in many districts the nucleus of the main organization has been held as long as possible, even though higher priced employees are performing work which might equally well be done by lower priced employees.

2. In some cases it is especially important that the work proposed in the bill be carried on without loss of time. This is particularly true, for instance, with reference to such an item as that relating to East River, which is of urgent importance on account of its relation to national defense. The joint board has recommended, as immediately needed for operations of the fleet of defense, that there be provided a depth of 40 feet to the Brooklyn Navy Yard and a depth of 35 feet through East River. The pending bill, as amended by the Committee on Commerce of the Senate, makes provision for this important work. If the channel to the navy yard is first deepened to only 35 feet, as now authorized, and later to 40 feet, it is probable that the loss on this one item will be over a million dollars.

3. There is also work of urgent importance carried by the bill with reference to the Hudson River Channel, in order to provide access to the new piers being built by the city to accommodate the steamships of great length that come to this harbor. Another urgent item relates to the Narrows of Lake Champlain, where improvement is necessary in order to take advantage of the facilities that the State of New York has provided in its new Champlain Barge Canal after an expenditure of millions of dollars. Another item of special urgency is that relating to the Passes of the Mississippi River, where work has just been inaugurated under modified plans to secure a project depth of 35 feet through Southwest Pass.

4. There are many cases where work of maintenance is essential in order to accommodate commerce of great importance which may be seriously affected by deterioration of the channels. This is illustrated on the Delaware River, where continuous operation of Government dredges is necessary to keep open the channel to the port of Philadelphia. The maintenance to full project dimensions is doubtless more important now than ever before, on account of the shortage in tonnage of shipping available and the necessity of employing it to the maximum draft to which it can be loaded.

5. There are a number of other improvements where work has been under progress and the benefits of the improvement can not be obtained until the project is completed; the delay in carrying on the work postpones securing any return on the investment made. Some improvements, such as that of the Ohio, the Missouri below Kansas City, and the upper Mississippi, are being prosecuted with large annual expenditures in accordance with programs of construction, to which Congress has practically pledged itself with a view to completion within a definite term of years. The large forces engaged on these rivers would, of course, become scattered if no funds are provided; and the enforced delay, due to lack of appropriations, would be still further prolonged by loss of time in getting the forces organized again. On the Mississippi and Missouri Rivers, a stoppage of work will cause an absolute loss of many revetments and levees now in place. This to a greater or less extent will also be the case for all unfinished work of construction, such as locks and dams.

6. The monthly cost of the operation of Government seagoing dredges runs from \$3,000 to \$10,000 per month, according to the size of the dredge. Many of these dredges would have to be laid up on account of exhaustion of funds. New crews would therefore be necessary when the dredges resume work. It takes at least two or three months to break in a dredge crew properly so that they can do effective work. This, therefore, is equivalent to the loss of one or two months in the cost of operation of each dredge which is laid up.

7. It may be of interest, in this connection, to give the results of an inquiry made in 1915 to ascertain the loss to the United States caused by the delay of about three months in the passage of the river and harbor act which was approved on October 2, 1914. A tabulation of the data submitted by the various district engineer officers throughout the United States indicated that the late passage of the act caused a definite loss to river and harbor appropriations of \$395,554.23 and an indefinite loss of \$486,911.86, making a total of \$882,466.09.

8. The definite losses included such items as the dismantlement of plant, its storage and care during period of suspension of work, and reinstallation; definite increased cost of work due to unfavorable conditions during which it was prosecuted later in the season; losses of work which was partially completed and which had to be replaced; and other similar definite items.

9. The indefinite losses included such items as a higher percentage of cost of office expenses, superintendence, etc., due to the smaller amounts available for work, losses in efficiency due to the training of new crews, depreciation of plant while laid up, and other similar items.

10. From an examination of the data available, it was believed that the total was an underestimate rather than an overestimate of the actual loss due to the failure of the bill to become a law at the proper time.

11. Attention is also invited to the importance of some of the items of general legislation, particularly with reference to section 9, which gives the Secretary of War much-needed authority to prescribe regulations for navigable waters of the United States. Lack of this authority has prevented action that should be taken to safeguard life and property and the interests of navigation, especially in congested waterways.

W. M. BLACK,
Brigadier General, Chief of Engineers.

FOREIGN POLICY.

Mr. MYERS. I present a petition from citizens of Butte, Mont., which I ask may be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

Resolved, That we, people of Butte, Mont., in meeting assembled this 21st day of February, 1917, to honor the memory of Washington, pledge anew our loyalty and devotion to this great Republic and its democratic institutions.

Resolved, That we are unalterably opposed to any alliance, entangling or otherwise, between the United States and any European or Asiatic power, or to any league of nations to enforce peace which shall include the United States.

Resolved, That we condemn as un-American and unpatriotic the persistent and malignant efforts of certain Tories and Tory newspapers in New York and elsewhere to involve us in the horrors of the sordid European war, not for the purpose of serving any American interest or the cause of liberty and justice anywhere, but of insuring victory, if possible, to Great Britain.

Resolved, That we earnestly urge Congress to use every reasonable and honorable means to keep the country at peace with the rest of the world, and particularly with Germany.

ED. FITZPATRICK, Chairman.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. BRADY. I present a joint memorial of the Legislature of Idaho, which I ask may be printed in the RECORD.

There being no objection, the joint memorial was ordered to be printed in the RECORD, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, W. T. Dougherty, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of Senate joint memorial No. 8, by Curtis and Atherton, to the honorable the Senate and the House of Representatives of the United States of America, in Congress assembled, which was filed in this office on the 28d day of February, A. D. 1917, and admitted to record.

Passed the senate on February 10, 1917.

Passed the house of representatives on February 19, 1917.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 28d day of February, in the year of our Lord 1917, and of the Independence of the United States of America the one hundred and forty-first.

[SEAL.]

W. T. DOUGHERTY,
Secretary of State.

Senate joint memorial No. 8. (By Messrs. Curtis and Atherton.)

To the honorable the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Senate and the House of Representatives of the State of Idaho, respectfully represent: That—

Whereas there is now pending and upon the calendars of both the Senate and the House of Representatives a bill known as the volunteer officers' retired list bill; and

Whereas full pay for life was granted to all survivors of the Revolutionary War, the War of 1812, and the Indian wars, in accordance with rank; that this is a measure of justice and in harmony with policy and should be speedily taken up and put upon its passage: Now, therefore, be it

Resolved, That we, your memorialists, earnestly recommend that the above-mentioned bill be taken up and voted on at the earliest possible date.

The secretary of state of the State of Idaho is hereby instructed to cause a copy of this memorial to be forwarded to each of the members of the congressional delegation from the State of Idaho to the Congress of the United States.

This senate joint memorial passed the senate on the 10th day of February, 1917.

ERNEST L. PARKER,
President of the Senate.

This senate joint memorial passed the house of representatives on the 19th day of February, 1917.

B. HARVEY ALLRED,
Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 8 originated in the senate during the fourteenth session of the Legislature of the State of Idaho.

RICH'D BURKE,
Secretary of the Senate.

HIRAM MARSHALL.

Mr. CHILTON introduced a bill (S. 8334) granting an increase of pension to Hiram Marshall (with accompanying papers); to the Committee on Pensions.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

Mr. JONES. Mr. President, if the Senate were not anxious to consider the bill giving to the President the power to arm ships, I think I would take the time to prevent the passage of this conference report. The other day, when it was sent to conference, I had about decided in my own mind that unless the Bryan amendment was adopted, in substance at any rate, by the conferees, I would use every means in my power to prevent the passage of the bill. But I do not want to do that under the circumstances, because I know it would be considered simply as an attempt to defeat the other bill, and that I am not doing, and do not intend to do. But I do want to speak for three or four minutes to say a few things about that amendment. I would have no hesitation about defeating the report if I could if the other bill were not in the way, because we are going to have an extra session, and the bill could be taken up and be properly considered and enacted into law before the 1st day of July, when it is to take effect.

The amendment to which I have reference is amendment 79, on page 79 of the bill. The original House provision read as follows:

To make investigation relating to the production, transportation, storage, preparation, marketing, manufacture, and distribution of agricultural food products, including the extent, manner, and methods of any manipulation of the markets or control of the visible supply of such food products or any of them by any individuals, groups, associations, combinations, or corporations, \$50,000.

There was no serious objection to that provision, but in order to get it into conference in connection with the amendment that was proposed by the Senator from Florida [Mr. BRYAN], that language was stricken out and the following was inserted:

To enable the Secretary of Agriculture to investigate and certify to shippers the condition as to soundness of fruits and vegetables when received at markets under such rules and regulations as he may prescribe, \$25,000: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts as prima facie evidence of the truth of the statements therein contained.

Mr. President, that was put in the bill to meet a very serious situation which confronts the producers and shippers of farm products. For example, take my own locality, which is a great fruit-producing country. The fruit is shipped largely to the East, to the large markets. Very frequently a carload of fruit is sent to Chicago and word comes back to the shipper or owner of the fruit that it arrived in bad condition. He has no way to controvert that statement and the result is that he loses a great deal upon his fruit. It has been shown in some instances that these reports are actually false, that the products or fruit, arriving in good condition, have as a matter of fact been reported as being in bad condition, thus resulting in great loss to farmers and producers. The purpose of the amendment was to place a representative of the Government in the different large markets who could examine the fruit when it arrived, or the products when they arrived, and make a report with reference to the character and condition of the shipment. Then, of course, when the consignee should report the condition of the fruit to be unsatisfactory, there would be a very reliable record made showing the condition of it. The result would be that unless the fruit or the product did actually arrive in poor condition there would be no report to the shipper of the bad condition of the fruit. That, in my judgment, would result in very great benefit, and it would not cost the Government very much.

This is all the time I am going to take with reference to the proposition now under the circumstances, but I do hope that in the next agricultural appropriation bill we shall be able to get something of this sort inserted, so that that can be covered. It ought not to be permitted to exist for another year but under the circumstances we shall have to put up with it, I suppose.

As I said, I would like to defeat this conference report, under the circumstances that we are going to have an extra session, but this other bill I know is desired to be taken up, and I do not want to delay it and I do not want to prevent its passage; therefore I shall not take further time upon this matter.

The PRESIDING OFFICER (Mr. JAMES in the chair). The question is on agreeing to the conference report.

The report was agreed to.

REPUBLIC COAL CO.—CONFERENCE REPORT.

Mr. MYERS. Mr. President, I rise to a privileged matter, the making of a conference report. I send the conference report to the desk and ask that it be read.

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. MYERS. No; I do not desire to yield. I ask that the report be read.

The PRESIDING OFFICER. The report will be read.
The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 50) authorizing the Secretary of the Interior to sell the coal deposits in and under certain public lands to the Republic Coal Co., a corporation, having met, after full and free conference, hereby report to their respective Houses that it is impossible for the managers on the part of the respective Houses to agree upon any report that would secure legislation in the premises.

They find themselves at such variance on the provisions of the Senate act and the House amendments thereto that they have agreed on a general disagreement, and hereby report to the Senate and House that they can not reach any agreement upon the Senate act and the House amendments thereto under consideration.

H. L. MYERS,
C. S. THOMAS,
REED SMOOT,

Managers on the part of the Senate.

SCOTT FERRIS,
EDWARD T. TAYLOR,
IRVINE L. LENROOT,

Managers on the part of the House.

Mr. MYERS. Mr. President, I move that the Senate conferees be discharged and that the Senate concur in the House amendments, and on that motion I wish to be heard for a few minutes. This measure has been before Congress for quite a long while. It is a joint resolution to supply, for a compensation, a certain amount of coal under a certain area of land in Montana to the Republic Coal Co., which is a subsidiary company of the Chicago, Milwaukee & St. Paul Railroad Co. It is really to furnish the Chicago, Milwaukee & St. Paul Railroad Co. with the fuel with which to operate its trains across Montana. It has no other visible source of supply for obtaining fuel. It passed the Senate. As it passed the Senate it proposed to sell the coal under 1,440 acres of land to this company.

It passed the Senate in that form and went to the House, and the House amended it by reducing it to 640 acres and making it a lease. The principal dispute between the House and the Senate is whether it shall be sold or leased, but the conferees are unable to come to an agreement. I believe this legislation is necessary, and the right ought to be granted, even if it has to be leased under 640 acres of land. That is all. There are precedents for this kind of legislation.

Mr. MARTINE of New Jersey. May I ask the Senator how long is the term of the lease?

Mr. MYERS. Until they get the coal out from under 640 acres of land.

Mr. MARTINE of New Jersey. Suppose it should take a thousand years?

Mr. MYERS. It is under such conditions and terms as may be prescribed by the Secretary of the Interior.

Mr. MARTINE of New Jersey. No definite term is fixed?

Mr. MYERS. The Secretary of the Interior may fix it at 10 days if he wants to do so.

Mr. SMOOT. Mr. President, may I inquire if this is a conference report?

Mr. MYERS. Yes; this is a conference report.

Mr. SMOOT. Mr. President, this conference report can not be passed at this session. I do not want to be forced into the position of taking the time of this session at this time to defeat the joint resolution.

Mr. MYERS. I do not give up the floor, Mr. President; I yield for a question.

Mr. HARDWICK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. HARDWICK. What is the pending parliamentary status?

The PRESIDING OFFICER. The Senator from Montana [Mr. MYERS] presented a conference report and had it read at the Clerk's desk.

Mr. HARDWICK. After that is done, the only motion regarding it that is in order is to proceed to its consideration, and it has to be decided without debate.

Mr. CURTIS. Mr. President, I understood the Senator to move that the Senate conferees be discharged from further consideration of the report and that the House amendment be concurred in.

The PRESIDING OFFICER. That was the motion of the Senator from Montana.

Mr. SMOOT. Of course, it is debatable if the motion is agreed to; and if the Senator insists upon his motion and it is agreed to, I shall discuss the resolution.

Mr. WILLIAMS. A parliamentary inquiry. What is the regular order? Is not the bill to arm the merchant ships of the United States the regular order? Can anything else be taken up?

The PRESIDING OFFICER. That bill was displaced by the motion made by the Senator from South Carolina [Mr. SMITH].

Mr. WILLIAMS. I move, then, that we proceed—

Mr. MYERS. Mr. President, I do not yield. I have the floor and I do not yield.

Mr. SMITH of Georgia. The Senator from Montana can not hold the floor with nothing before the Senate.

Mr. MYERS. But there is something before the Senate.

Mr. SMITH of Georgia. There is not.

Mr. WILLIAMS. I move to proceed to the consideration—

Mr. MYERS. I decline to yield.

The PRESIDING OFFICER. The Senator from Montana [Mr. MYERS] presented a conference report and it was read by the Secretary. He then made a motion that the Senate recede from its disagreement to the House amendments and concur in the action of the House. There was no unanimous consent asked, no point of order made, and no objection raised at the time against the consideration of the conference report. If any Senator objects, of course the question is whether the Senate shall proceed to consider the conference report.

Mr. WILLIAMS. I object.

Mr. MYERS. I move that the Senate proceed to the consideration of the conference report. I do not yield the floor.

The PRESIDING OFFICER. The Senator can not hold the floor against a point of order.

Mr. MYERS. I have not heard any point of order made.

Mr. WILLIAMS. I make the point of order and object to unanimous consent to take up anything except the bill to arm the merchant vessels.

Mr. SMITH of Georgia. Mr. President, I move that the Senate proceed to the consideration of House bill 21052.

Mr. MYERS. I have the floor.

Mr. SMITH of Georgia. I make the point of order that there is now nothing before the Senate and that the Senator from Montana can not hold the floor with nothing before the Senate.

Mr. MYERS. I claim that there is something before the Senate.

The PRESIDING OFFICER. The Senator from Montana did not move to take up the conference report. He presented it and asked that it be read, and he then stated that he moved to reject the report of the conferees and that the House amendments be concurred in.

Mr. MYERS. That is a legitimate motion.

The PRESIDING OFFICER. But the Senator must get it before the Senate.

Mr. MYERS. It was brought before the Senate by the order of the Presiding Officer.

The PRESIDING OFFICER. That does not constitute bringing it before the Senate. The Chair allowed the matter to be brought to the attention of the Senate. If the Senator from Montana desires to do so, he can move to proceed to the consideration of the report, and the Chair will put the question.

Mr. MYERS. I move that the Senate proceed to the consideration of the report.

The PRESIDING OFFICER. The question is upon the motion of the Senator from Montana to proceed to the consideration of the conference report.

Mr. SMOOT. I want to say now that if the motion is agreed to the report is debatable, and I shall discuss it.

Mr. MYERS. I do not yield the floor.

Mr. ASHURST. The motion is not debatable under Rule XXVII.

Mr. SMOOT. The Senator can not hold the floor.

Mr. MYERS. I made the motion, and it is before the Senate.

Mr. BRYAN. I raise the point of order that no debate is in order upon a motion of this kind.

The PRESIDING OFFICER. Debate is not in order. The question is on the motion of the Senator from Montana, to proceed to the consideration of the conference report.

The motion was rejected.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 7710. An act to amend the irrigation act of March 3, 1891 (26 Stats., 1095), section 18, and to amend section 2 of the act of May 11, 1898 (30 Stats., 404);

S. 7766. An act for the relief of Guy A. Richards, Jesse L. Robbins, Isaac M. C. Grimes, William L. Irvine, and David Cox;

S. 8316. An act granting a pension to Edith Blankart Funston, widow of the late Maj. Gen. Frederick Funston; and

S. 4384. An act providing for the refund of duties collected on flax-preparatory machines, parts, and accessories imported subsequently to August 5, 1909, and prior to January 1, 1911.

The message also announced that the House had passed a bill (H. R. 358) providing for the construction of a public building at Binghamton, N. Y., in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the President pro tempore:

S. 5270. An act for a public building at Paris, Tex.;

S. 8120. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

H. R. 19359. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918;

H. R. 20632. An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes;

H. J. Res. 390. Joint resolution to expedite the delivery of materials, equipment, and munitions, and to secure more expeditious construction of ships; and

H. J. Res. 392. Joint resolution providing that section 5 of an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, shall not be in effect until July 1, 1917.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Buildings and Grounds:

H. R. 358. An act providing for the construction of a public building at Binghamton, N. Y.; and

H. R. 10751. An act to provide for the purchase of additional land and for the erection thereon of an addition to the Federal building at Flint, Mich.

ARMED MERCHANT SHIPS.

Mr. HITCHCOCK. Mr. President, I move that the Senate proceed to the consideration of House bill 21052.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21052) authorizing the President of the United States to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and for other purposes.

Mr. HITCHCOCK. Mr. President, I ask the Senator from Arkansas [Mr. ROBINSON] to present to the Senate at this time a statement which is signed—

Mr. CLAPP. May I ask the Senator's attention for a moment?

Mr. HITCHCOCK. Not until I finish.

Mr. CLAPP. I think I ought to—

Mr. HITCHCOCK. I decline to yield.

Mr. CLAPP. Very well.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. HITCHCOCK. This is a statement which has been signed by nearly 80 Members of the Senate, and it embraces about all

the names of Senators who can be reached this evening except 12. The statement is signed in this way by virtually all but 12 Members of the Senate here present, and it speaks for itself. It is desired to place it in the RECORD at this time, in order that the country may know and a record may be made of the fact that practically nine-tenths of the Senate of the United States are anxious to proceed to a vote on the pending bill and that nine-tenths of the Senate desire an opportunity to place the bill upon its passage.

Mr. CLAPP. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLAPP. I think it is unfair and unjust to men who have no purpose to delay this bill, who have sat here for over 24 hours seeking to get an opportunity to make a fair speech upon this question, to put them in the attitude of being responsible for delaying the bill, when the fact is we have not had an opportunity to speak upon the bill. The bill came into the Senate Friday afternoon and was displaced time and again by the party in control of the Senate, and now at this juncture, when Senators are waiting, with no purpose of delaying it, but simply for the purpose of presenting their views to the Senate and to the country, to put them in the attitude of being responsible for this situation I regard as unjust and unfair.

Mr. HITCHCOCK. In order that this matter might be tested by the Senators who are so anxious, I remind the Senator from Minnesota that at 12 o'clock I asked his consent to proceed with the consideration of this bill, and that after six hours of debate all further debate cease, and that we come to a vote upon the bill, and the Senator from Minnesota objected.

Mr. CLAPP. I did; but—

Mr. HITCHCOCK. I decline to yield at this time.

Mr. CLAPP. Very well.

Mr. HITCHCOCK. I am making my statement in reply to his. Therefore, at this hour, when the defeat of this measure by exasperating and procrastinating debate, simply for the purpose of delay, threatens to prevent Senators from going on record—at this hour, when that seems to be imminent, we propose by putting this statement in the RECORD to show that nine-tenths of the Senate are ready to vote and anxious to vote and want to vote for this bill, but that they are being prevented by 12 Senators, practically, of the Senate who refuse us an opportunity to vote.

Mr. CLAPP. We should like to be heard on it.

Mr. HITCHCOCK. Then the world will know that the Senate is with the President, as the House of Representatives was with the President, nine to one.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. HITCHCOCK. I yield.

Mr. ROBINSON. The statement referred to by the Senator from Nebraska is as follows:

UNITED STATES SENATE,
Washington, D. C., March 3, 1917.

The undersigned United States Senators favor the passage of S. 8322, to authorize the President of the United States to arm American merchant vessels and to protect American citizens in their peaceful pursuits upon the sea. A similar bill has already passed the House of Representatives by a vote of 403 to 13. Under the rules of the Senate allowing debate without limit it now appears to be impossible to obtain a vote prior to noon, March 4, 1917, when the session of Congress expires. We desire this statement entered in the RECORD to establish the fact that the Senate favors the legislation and would pass it if a vote could be had.

F. M. Simmons, Joe T. Robinson, Henry Cabot Lodge, William E. Borah, G. M. Hitchcock, George Sutherland, Hoke Smith, George T. Oliver, John W. Kern, J. W. Wadsworth, Jr., Thomas Sterling, James H. Brady, William P. Dillingham, LeBaron B. Colt, Frank B. Brandegee, Clarence D. Clark, P. J. McCumber, Morris Sheppard, Atlee Pomerene, Willard Saulsbury, Charles E. Townsend (with Cummins amendment), Bert M. Fernald, Albert B. Fall, Duncan U. Fletcher, Reed Smoot, Ollie M. James, Claude A. Swanson, Thomas S. Martin, N. P. Bryan, Thomas W. Hardwick, E. D. Smith, Charles Curtis, Knute Nelson, W. G. Harding, T. E. Catron, John Sharp Williams, Joseph E. Ransdell, Blair Lee, J. Hamilton Lewis, T. J. Walsh, J. C. W. Beckham, H. L. Myers, Paul O. Husting, Henry F. Hollis, James D. Phelan, Miles Poindexter, John K. Shields, George P. McLean, F. E. Warren, Carroll S. Page, W. L. Jones (with Stone, McCumber, or Cummins amendment), James E. Martine, Charles S. Thomas, George E. Chamberlain, Lawrence Y. Sherman, William Alden Smith, W. E. Chilton, J. H. Bankhead, Henry F. Ashurst, O. W. Underwood, John F. Shafroth, William Hughes, John W. Weeks, James A. Reed, John Walter Smith, Luke Lea, Key Pittman, Robert F. Broussard, James E. Watson, H. A. du Pont, Robert L. Owen, Francis G. Newlands, Lee S. Overman, Ed. S. Johnson, William H. Thompson.

Senator LIPPITT is out of the city.

The following Senators are detained from the Senate on account of sickness:

Mr. GALLINGER and Mr. GOFF.

The following Senators have not had an opportunity to sign this statement:

Mr. GORE, Mr. STONE, Mr. TILLMAN, Mr. JOHNSON of Maine, Mr. SMITH of Arizona, and Mr. CULBERSON.

Mr. MARTINE of New Jersey. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Jersey?

Mr. ROBINSON. I do.

Mr. MARTINE of New Jersey. I merely want to say that I signed that document after reading it, being thoroughly satisfied with it, but I desire to vote for the Stone amendment. I did not think it necessary to place in brackets after my name, as some other Senator did "with amendments." I shall vote for the Stone amendment; I believe that it would safeguard the measure, and altogether improve it; but should that amendment be defeated, I shall vote for the bill anyway.

Mr. ASHURST. Mr. President, the name of my colleague [Mr. SMITH of Arizona] was read, and I feel that I should say to the Senate that, if my colleague were present, he would sign this paper. He is detained from the Senate by reason of illness.

Mr. SHEPPARD. Mr. President, I wish also to express the same sentiment with regard to my colleague, the senior Senator from Texas [Mr. CULBERSON]. I will say that he would have attached his signature to the paper if he had had the opportunity to do so.

Mr. WORKS obtained the floor.

Mr. JONES. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. JONES. The Senator from Arkansas [Mr. ROBINSON] in reading my name stated that it was signed "W. L. JONES, with amendments." I placed it there "W. L. JONES, with Stone, McCumber, or Cummins amendment."

Mr. President, I did not sign that paper with the understanding or idea that it would be read in the Senate here and used in such a way as to reflect upon any Senator who did not sign it.

Mr. ROBINSON. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES. I will yield in just a moment.

Mr. WORKS. I believe I have the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Washington rose to a question of personal privilege.

Mr. WORKS. Very well.

The PRESIDING OFFICER. And the Chair recognized the Senator from Washington, as he understood that he rose to a question of personal privilege.

Mr. JONES. I do not think that the Senators who have not signed the paper and who have not spoken should be considered as having treated the Senate unfairly. I do not understand that the paper indicated anything of that sort; but that it indicated simply the personal views of the Senators who signed it. I did not expect it to be commented upon, as has been done here, and reflections cast upon other Senators, because I think there is nothing in the Record in connection with this bill that shows that there has been any undue debate, or that there has been any undue delay or any indication of a desire upon the part of any Senator to prevent the passage of this measure by filibustering methods. The time for its consideration has been entirely too short. Senators who desire to speak upon it should have an opportunity to do so. In my judgment, they should not be censured or any reflection cast upon them because of asking for time to debate this measure, which came in here at midnight last night.

Mr. WILLIAMS. If the Senator will allow me to interrupt him, Senators knew that if they debated it they would defeat the bill.

Mr. JONES. They have a perfect right to debate this bill, and they ought to have the privilege to do so as Senators.

Mr. WILLIAMS. But they know that when they do it it will beat the bill.

Mr. JONES. No; they do not beat the bill, if the President of the United States will do what we think he ought to do, and call us here to pass this legislation, if he thinks he needs it. It will rest upon the President of the United States, if anything goes wrong and we do not pass this bill, and not upon the Members of the Senate.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. ROBINSON. Mr. President, the Senator from Washington rose to a question of personal privilege, and stated that he did not expect the statement I have just submitted to the Senate for the Record to be read in the Senate.

Mr. JONES. I did not expect it to be commented upon as it was by the Senator.

Mr. ROBINSON. The Senator made the statement that I have just attributed to him, and he made that statement notwithstanding the fact that in the paper he signed is contained this sentence:

We desire this statement entered in the Record to establish the fact that the Senate favors the legislation and would pass it if a vote could be had.

Mr. JONES. Mr. President, there is nothing wrong in that—
Mr. ROBINSON. Now, Mr. President, this paper does not reflect upon anyone. It simply places in the Record of the United States Senate the names of the Senators who would vote for this legislation if Senators who are opposed to it would abandon their dilatory tactics and permit a vote to be had. It also gives the names of the Senators who have not had an opportunity of signing the statement. It does not mention the names of Senators who refused to sign the statement. It does not come with good grace from the Senator from Washington, who has this evening charged the President of the United States with responsibility for the *Lusitania* incident, to rise on the floor of the United States Senate and, after subscribing his name to that document, to declare that he expected it to be kept secret and withheld from the records of the Senate—

Mr. JONES. I rise to a question of order.

Mr. ROBINSON. When the document itself states it is made for the Record.

Mr. JONES. Mr. President, I rise to a question of order—

Mr. ROBINSON. Let men of courage rise now to speak. The hour has arrived when Members of the United States Senate ought to be afforded an opportunity to say how they stand on this question.

Mr. JONES. Mr. President—

Mr. ROBINSON. It is a fateful hour, an important issue, Senators.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Washington?

Mr. ROBINSON. I yield to the Senator from Washington.

Mr. JONES. The Senator knows that I did not say that I expected the statement to be kept secret in the United States Senate.

Mr. ROBINSON. But the Senator said he did not expect it to be read in the Senate. That is my recollection of his statement.

Mr. JONES. No.

Mr. ROBINSON. I think the Record will show it.

Mr. JONES. I expected it to be printed in the Record, but did not expect it to be commented upon, as the Senator has done.

Mr. ROBINSON. As suggested by a Senator in front of me, the Senator stated he did not expect it to be used in this way. What can be the objection of an officer of the United States who signs a document like that to having the world know how he stands? The Senator from Washington has said that the President of the United States is to blame for the difficulties that now confront us in our international situation; he has said that by taking one of two courses the President could have prevented the present complication with the Imperial German Government; that he ought either to have warned American citizens to stay off the *Lusitania*, or should have protected them upon the *Lusitania*; but when asked by the Senator from South Dakota [Mr. STERLING] which course he would have taken, even in view of subsequent events, he was unable to answer that question. Whatever may be our views upon this question, let us not overburden and press down to earth the Chief Executive of this Republic, who we all believe, and who, God knows, has done his best to preserve peace and at the same time maintain the honor and the dignity of the United States. Let Senators come out in the open and take the responsibility for the defeat of this bill. This statement which has been put in the Record discloses the fact that but for the dilatory tactics pursued by the Senator from Washington and others associated with him the United States Senate would have already voted to uphold the President and sustain him in his efforts to maintain the honor and dignity of the people of the United States, and to preserve the lives and property of its citizens.

Mr. HITCHCOCK. Mr. President, will the Senator yield to me?

Mr. ROBINSON. I yield to the Senator.

Mr. HITCHCOCK. I ask unanimous consent that at not later than 6 o'clock a. m. of this day all debate on this bill and amendments thereto shall cease, and that the Senate shall proceed to vote upon the bill and all amendments offered thereto, through the regular parliamentary stages, to its final disposition.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. HITCHCOCK. I yield to the Senator.

Mr. WEEKS. I signed that paper—
Mr. HITCHCOCK. Does the Senator object to my request for unanimous consent?

Mr. WEEKS. I do not know whether I am going to object or not. I signed that paper because I want this legislation to pass, but I did not suppose the paper was to be used until it was demonstrated that a vote could not be obtained in the Senate to determine whether legislation could be adopted or not.

Mr. HITCHCOCK. We are going to ascertain that now; that is my purpose.

Mr. WEEKS. Just wait a moment, please. There are eight and a half hours before the end of the session. I did not intend in any way to reflect on any Senator. There is the Senator from Minnesota [Mr. CLAPP], for instance. I have not any idea that he intends to prevent the passage of this legislation, but he has been sitting here waiting for an opportunity to address the Senate on the subject of this legislation, and I really think it is an unfair proceeding to incorporate that statement in the RECORD eight and a half hours before the end of the session. I would not have signed it if I had supposed it was to be used in that way.

Mr. JAMES. Mr. President, I should like to suggest to the Senator from Nebraska that if we get a vote on the bill, of course that will exonerate all Senators, so that there will be no trouble about that.

Mr. ROBINSON. Certainly; that is true.

Mr. GRONNA. Mr. President, I will say to the Senator from Nebraska that the statement was shown to me, and I said to the Senator who handed it to me that I had not spoken a single word upon this bill; I had not taken a minute's time of the Senate in discussing the bill, and for the present I did not care to sign it. I am not afraid of letting the country know that I have not signed this statement, and the Senator will find out that there will be others who can not be bulldozed by the Senator from Nebraska.

Mr. HITCHCOCK. The Senator is entirely mistaken. I am not proceeding to bulldoze anyone. I am entreating; I am asking for consent; I am asking a favor. Will the Senator permit the Senate to vote on the bill not later than 6 o'clock this morning?

Mr. GRONNA. I object.

Mr. WILLIAMS. Mr. President—

The PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WORKS. Mr. President, I have been endeavoring for some time to secure recognition. I addressed the Chair on two or three occasions and at one time had obtained the floor.

The PRESIDENT pro tempore. The Chair has recognized the Senator from Mississippi. He will recognize the Senator from California when the Senator from Mississippi concludes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had appointed three members to join a similar committee to be appointed by the Senate to wait upon the President of the United States and inform him that the two Houses are ready to adjourn unless he has some communication to make to them, and that in accordance with the resolution the Speaker had appointed as the committee on the part of the House Mr. KITCHIN, Mr. LLOYD, and Mr. MANN.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 4384. An act providing for the refund of duties collected on flax-preparatory machines, parts, and accessories imported subsequently to August 5, 1909, and prior to January 1, 1911;

S. 7710. An act to amend the irrigation act of March 3, 1891 (26 Stat., 1095), section 18, and to amend section 2 of the act of May 11, 1898 (30 Stat., 404);

S. 7766. An act for the relief of Guy A. Richards, Jesse L. Robbins, Isaac M. C. Grimes, William L. Irvine, and David Cox; and

S. 8316. An act granting a pension to Edith Blankhart Funston, widow of the late Maj. Gen. Frederick Funston.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his clerks, announced that the President had approved and signed the following acts and joint resolution:

On March 3, 1917:

S. 8317. An act to authorize the Legislature of Alaska to establish and maintain schools, and for other purposes;

S. 8295. An act granting pensions and increases of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 778. An act to authorize an exchange of lands with owners of private holdings within the Glacier National Park;

S. 8307. An act authorizing the granting of patent to certain lands adjacent to the agricultural experimental station at Scottsbluff, Nebr., to the regents of the University of the State of Nebraska for dry-land agricultural experimental purposes; and

S. 1082. An act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

On March 4, 1917:

S. 4384. An act providing for the refund of duties collected on flax-preparatory machines, parts, and accessories imported subsequently to August 5, 1909, and prior to January 1, 1911;

S. 7710. An act to amend the irrigation act of March 3, 1891 (26 Stat., 1095), section 18, and to amend section 2 of the act of May 11, 1898 (30 Stat., 404);

S. 7766. An act for the relief of Guy A. Richards, Jesse L. Robbins, Isaac M. C. Crimes, William L. Irvine, and David Cox;

S. 8316. An act granting a pension to Edith Blankhart Funston, widow of the late Maj. Gen. Frederick Funston;

S. 8120. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 5270. An act for a public building at Paris, Tex.;

S. 135. An act for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863;

S. 8075. An act for the relief of Marguerite Mathilde Slidell d'Erlanger;

S. J. Res. 206. Joint resolution extending until January 8, 1918, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914;

S. 6601. An act for the enlargement of the post-office building in Pittsburgh, Pa.;

S. 7905. An act to authorize the Secretary of the Treasury, in his discretion, to transfer and convey to the commissioners of Lincoln Park of Chicago, Ill., the riparian rights of the United States, as the owner of land fronting on Lake Michigan and occupied as the site of the United States marine hospital in Chicago, Ill.;

S. 8228. An act authorizing the commissioners of the Red River bridge district to construct a bridge across the Red River at or near Index, Tex.;

S. 8296. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 8300. An act to authorize the change of name of the steamer *Fred G. Hartwell* to *Harry W. Croft*; and

S. 8301. An act to authorize the change of the name of the steamer *Harry A. Berwind* to *Harvey H. Brown*.

ARMED MERCHANT SHIPS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21052) authorizing the President of the United States to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and for other purposes.

Mr. WILLIAMS. Mr. President, one of the most humiliating spectacles in the course of American history will be presented if there be an adjournment of this Congress and this bill, whether amended or unamended, with this object and with this purpose in view, shall have been defeated by the United States Senate. It will be the most humiliating page in the history of the Senate itself.

This is the only absolutely impotent legislative branch of any Government in the world. We have been reduced to the point of where we can not get a vote in the Senate except by signing a round robin, where the country can not be permitted to know how Senators stand except by signing a paper saying how they stand; and if this body shall adjourn on the 4th of March, and this law shall not have been put upon the statute books, or a law with this purpose, then the effect upon the minds of the military autocratic classes in Germany will be about this: A shrug of the shoulders and a smile, and "They have done just what we thought the money-grubbing, money-hunting, cowardly things would do."

We are not responsible for this situation. It has been going on from the time of the sinking of the *Lusitania*, the sinking of the *Arabic*, the sinking of the *Sussex*, followed up here the other day by the sinking of another ship with two American women upon it. We have been advised by the strongest military power in the world that if we dare send a ship, with or without contraband, armed or unarmed, a merchant ship of our own, or if any of our citizens dare to take passage upon a merchant ship of any other nation and come within a certain circle of fire that has been drawn about a part of Europe, our ships shall be sunk and our citizens shall be drowned upon the high seas, unsung, unknelt, unshriven, and unavenged, and all over the world the news will go: "Finally the President of the United States was awakened to the fact that American honor and American self-respect were at stake; finally the President of the United States was awakened to the idea that patience had ceased to be a virtue, and insult and injury and humiliation had gone far enough, but the Senate of the United States could not be awakened to it at all." The House was awakened; the country is awakened; and here stand a corporal's guard of men who deny the right to me, the Senator of a sovereign State—to you, the Senator of another—to express by a vote in this body our opinion of the necessity of asserting and maintaining the right of an American ship to travel the high seas, the right of an American woman to go aboard a ship which is not a public ship nor a ship of war, but a ship of merchandise; that that right shall only be limited by the other rights of visit and search and the destruction of contraband, and under certain circumstances destruction of the ship, with the safety guaranteed of the noncombatant crews and passengers.

Now, that is all there is to it. You may stand here and talk forever, and all that there is in this paper is this: That being deprived by the rules of this body—this impotent body, legislatively impotent; we can not do a thing by talk—having been deprived by the rules, or rather by the lack of rules, of this body—because there is no rule of this body that says debate may go on forever, but there is merely a lack of rule to move the technical thing called the previous question—all this paper means is that being deprived of any other method of voting, we vote by paper, and put it on the records.

Now, there is not a man in this body—and he knows it—for whom I have a warmer personal affection and respect, and in whom I have more confidence, than the Senator from Minnesota.

Mr. CLAPP. Mr. President, may I ask the Senator a question?

Mr. WILLIAMS. Wait one second; let me finish this, and then I will yield to the Senator for a question. There is not one thing in this that was intended by me, when I signed it, to reflect upon anybody who held a different view and who wanted time to talk; and in the unanimous-consent agreement asked by the Senator from Nebraska, time is given to talk from now to 6 o'clock, and I think I can say that no man in favor of the bill will consume one minute of that time.

I would be the last man in the world to sign anything or to say anything or to do anything that could be properly construed as a reflection upon a man like the Senator from Minnesota, who, I know, does not desire to filibuster this bill to his death. It is not his desire; it never has been. I have never for a moment thought that it was. Now, there will be time for the Senator from Minnesota to speak, if this unanimous consent is granted, between now and 6 o'clock; and I hope, for one, that he will be recognized, and I shall be glad to hear him.

Mr. CLAPP. Mr. President, I believe every word that the Senator from Mississippi says. I believe there are others who would never have signed this paper if they had realized the situation it would create. Does the Senator from Mississippi know that of the Senators who signed the paper either 10 or 11—I would not be positive as to the number; I could only gather it from hearing it read—had already made speeches upon this question?

Mr. WILLIAMS. I do not; but I do know this, Mr. President: I am a member of the Foreign Relations Committee. My heart is in this bill. My very soul is in it. I believe it is the very least distance we can go in preserving the national honor; and I have not opened my lips merely because I thought that if I did open them at all it took that much time away from those who wanted to oppose the bill and who might complain that they did not have time. I have seen man after man upon that side and upon this, and they promised me to take the same course, and I said that I would not open my mouth upon the bill unless its defeat seemed to be determined upon.

This evening the question came up as to what this document we signed means. Now, all the document means is what is says.

It says: "We, the following Senators, being apparently deprived by the rules"—it ought to have said "the lack of rules"—"of the Senate from voting in any other way, in any way so as to indicate to the country our wishes, hereby indicate them in this way, so that the country may know, without any reflection upon anybody else, that if there be any to blame, it is not we who have signed this document."

Now, that is all there is in it. That is all that can be tortured out of it. That is all that can be possibly put into it by the most ingenious intellect in the world.

All that it does, if it makes a reflection upon anybody, is to reflect upon those who, if any such there be, intend to beat this bill by tactics of delay and filibustering. If that be a reflection upon men who have that intention then they can put the cap on and wear it because it fits them, and the country will put the cap on their heads and make them wear it because it fits them; and it ought to be put there, and they ought to be made to wear it.

Mr. President, if I were sitting in that chair, and the motion were made to me that this Senate should at a certain hour, after reasonable debate, at 6 or 7 o'clock this morning, proceed to vote upon this bill and pending amendments, I would rule the motion in order, upon these two grounds: First, that any body of intelligent men, anywhere, upon general principles, have a right to indicate an hour at which talking shall stop and action shall take place; and secondly, upon the ground that the United States and its honor and its commerce are larger than the rules—or lack of rules—of the United States Senate.

Mr. SMITH of Georgia. Mr. President—

Mr. WILLIAMS. I would sweep them aside, and I would do it with as clear a conscience of having performed a patriotic act as I ever had about any act that I ever performed in my life.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. WILLIAMS. I do.

Mr. SMITH of Georgia. I wish to ask the Senator if he will yield for a moment, in view of the statement of the Senator from Minnesota, in whom we all have great confidence, and for whom we have great respect, that there is no purpose by speeches to prevent a vote. Will he allow me, in view of that statement, to ask if at any time we can agree to vote?

Mr. WILLIAMS. At any time?

Mr. SMITH of Georgia. Say, 9 o'clock.

Mr. WILLIAMS. Well, wait a minute; at any time far enough in advance to let the bill get to the House and be acted upon by the House and become a law.

Mr. SMITH of Georgia. Yes; say 9 o'clock. That would give five hours for debate, and I am sure that it would all be used by the opponents of the bill. Would there be any objection by Senators to a vote not later than 9 o'clock?

Mr. FALL. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from New Mexico?

Mr. WILLIAMS. I do.

Mr. FALL. Answering for one the suggestion, Mr. President, I will certainly most heartily support the suggestion of the Senator. It must be apparent to the Senate that not simply for one day, but for several days, there has been a filibuster going on in this body, the object among some people possibly being to force a special session—among some three or four, possibly, in this Senate.

Mr. WILLIAMS. I have yielded only—

The PRESIDENT pro tempore. Does the Senator decline to yield further?

Mr. WILLIAMS. Mr. President, I will accept the suggestion made by the Senator from Georgia; and I will now, informally, for the purpose of feeling out those of the Members of the Senate who are present, ask first unanimous consent that the vote shall begin to be taken upon this bill and pending amendments at 9 o'clock a. m. this day.

Mr. SMITH of Georgia. I understand that the Senator desires informally to find if any Senator present would object?

Mr. WILLIAMS. That is what I want to know.

Mr. WORKS and Mr. CLAPP addressed the Chair.

The PRESIDENT pro tempore. The Senator from California.

Mr. WILLIAMS. I ask the Chair to put that request.

Mr. CLAPP. I understood that suggestions were invited.

Mr. WILLIAMS. Yes.

Mr. WORKS. Mr. President, the Senator from Mississippi has contributed his share now to the taking up of time to prevent a vote upon this bill.

Mr. WILLIAMS. Well, Mr. President, the Senator from Mississippi, being a member of the Foreign Relations Com-

mittee, has had very little time. Now, I ask informally unanimous consent—

Mr. WORKS. I do not yield to the Senator. I think I have the floor.

Mr. WILLIAMS (continuing). That at 9 o'clock this day the voting shall begin upon the bill and all amendments pending to it.

Mr. LEWIS. Mr. President, a parliamentary inquiry. Who is recognized?

Mr. WORKS. Mr. President, have we any rights in the Senate now?

The PRESIDENT pro tempore. The Chair supposed that the Senator from California was replying to the request of the Senator from Mississippi to know whether there was objection to his request.

Mr. WORKS. Does not the Chair know that I was not doing that?

The PRESIDENT pro tempore. The Chair does not know it. The Senator from Mississippi has the floor. The Chair called attention to the Senator from California because he was not likely otherwise to have an opportunity to be heard, the Senator from Minnesota not having noticed that he wished to say something; that was all.

Mr. WORKS. Mr. President—

Mr. WILLIAMS. I have a suggestion to make now. While I am on my feet, as a part of my remarks I ask if there is objection from anybody present now? Of course, if there is no objection, then we will have to have a roll call and get everybody here so as to put it to the full Senate; but if there is objection on the part of anybody on the floor, we can save the time that would be lost by the roll call.

Mr. LA FOLLETTE. Well, Mr. President, reserving the right to object to the request when it is presented finally, I will say to the Senator, to save time, that I shall object when it is made.

Mr. WILLIAMS. Very well. Then, Mr. President, proceeding, I ask unanimous consent for the same purpose for a vote to begin at 10 o'clock.

Mr. WORKS. Mr. President, I desire to be heard before I respond to any request for unanimous consent to vote on this bill, in view of all that has been said and done.

Mr. WILLIAMS. Very well. The Senator evidently has that right; and with that suggestion, then—I will call it a suggestion—I shall surrender the floor.

Mr. WORKS. Mr. President—

The PRESIDENT pro tempore. The Senator from California.

Mr. MYERS. Mr. President, will the Senator from California yield to me for a minute to make a personal statement—two or three minutes?

Mr. WORKS. Mr. President, I am quite willing to yield to the Senator from Montana if I do not lose the floor.

Mr. MYERS. I thank the Senator. I want to say—

Mr. WORKS. Mr. President, I intended to be interrupted only conditionally.

The PRESIDENT pro tempore. The Chair can not parcel out the floor conditionally.

Mr. MYERS. Then I will not accept the Senator's time, now.

Mr. WORKS. Mr. President, I have been a Member of the United States Senate now for six years, within a few hours. I regret exceedingly that I am to go out of the Senate after such an exhibition as has just taken place in this body. No denunciation of the Senator from Mississippi can reflect as seriously upon the fairness and integrity of the Senate as does the preparation, presentation, and use of such a paper as this for the manifest purpose of coercing the minority to the will of the majority.

It is a shameful exhibition on the part of the majority of the Senate, evidently intended for the purpose of closing the mouths of Senators who desired to be heard upon this question, a question that involves the question of war, a proceeding that may touch every fireside in this great country of ours, a step that may plunge us into the most horrible war that has ever taken place.

I have no intention of improperly or unnecessarily consuming the time of the Senate. If anything could induce me to take such a step as that, it would be just what has occurred within the last half hour. If this bill is to go to a vote by the coercion of the majority denying the Senators who desired to be heard the opportunity to discuss it, then the liberties of a Member of the Senate and the right to perform the duties that are imposed upon him by his oath have been taken away from him.

It is a most amazing thing to me that any Senator could have attached his name to a document of this kind with any knowledge that it was to be used as it has been used on the floor

of the Senate. I do not wonder that some of these gentlemen who signed the paper have gone back to the cloakroom after the use that has been made of the paper.

Mr. President, after this exhibition of lawlessness on the part of the majority, they very considerably ask us to consent to a time to vote on this bill. Here is my distinguished friend from Connecticut [Mr. BRANDEGEE]. I presume he signed the paper. I do not know whether the Senator has the intention of closing my mouth and preventing me from discussing the bill. Here is the Senator from Washington [Mr. JONES], who I think spoke a couple of hours, and I suppose he signed the document after he consumed that quantity of time, but I acquit the Senator from Washington of any intention to coerce my action in dealing with this important measure.

The Senator from Montana [Mr. WALSH] I think consumed something like two hours of the time of the Senate in support of this bill. The Senator from New Mexico [Mr. FALL] delivered a very learned dissertation on international law that had nothing whatever to do with the merits of this question. My distinguished friend the Senator from Missouri [Mr. STONE] I suppose signed this document; he addressed the Senate for four hours and one-quarter, I believe.

Mr. HITCHCOCK. The Senator is mistaken. The Senator from Missouri did not sign the document.

Mr. WORKS. I am glad to hear that. The Senator from Nebraska [Mr. HITCHCOCK], who I presume has felt it to be his duty to institute a proceeding of this kind in order to force through this bill, has taken much more of the time of the Senate than I have. I could count these gentlemen by the dozen who are now trying to prevent me from discussing this important measure, who have absolutely wasted the time of the Senate in support of a bill which they knew they could pass when the time came without any discussion of it whatever.

Mr. President, while all this has been going on, while these distinguished gentlemen have been taking up the time of the Senate filibustering against this bill and doing what they could to kill it I have taken none of the time of the Senate. I tried several times to obtain the floor in order that I might discuss the bill in an orderly and entirely proper way. I last gave way to the junior Senator from Missouri [Mr. REED], who expressed a desire to address the Senate on the bill. He sent a page to me asking me if I desired to proceed, and I sent the Senator word that if he desired to go on I would give way. I am not saying this in criticism of the Senator from Missouri. He had a perfect right to take the floor, and I was glad to surrender it to him. He consumed some time in discussing the bill; not too much time. I want the Senator to understand I am not criticizing him. I am only making some sort of an explanation of my own course respecting the matter.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Missouri?

Mr. WORKS. I yield, Mr. President.

Mr. REED. I had the floor and had been recognized. It came to my knowledge that some Senator, I have forgotten which one now, desired to make some remarks appropriate to the little ceremony of the good-byes that were being said. I yielded to two or three Senators on that account, and during that time the Senator from California rose. I inquired whether the Senator from California desired to speak upon the bill, meaning whether he intended to speak on the bill or to speak in complimentary terms of some one who was retiring, or perhaps to express something about his own sentiments. That is what I had in mind.

Mr. WORKS. I think that is right.

Mr. REED. The word I got back was that the Senator would waive his right for the present to speak, or his desire to speak. A little later I got word that the Senator did desire to speak, and I gave way to him. So I think the fact is that I had the floor. However, I think it is quite immaterial.

Mr. WORKS. Mr. President, I think the Senator is wrong in his chronology a little. I had risen and addressed the Chair for the purpose of speaking to the bill, and I thought I had obtained the floor. The Senator from Missouri rose about the same time. As the Senator says, he sent over to know of me whether I was intending to address myself to the bill or to join in the other speeches which were taking place. I sent word to him at that time that it was my intention to speak on the bill. I had no intention of saying anything about what was then going on in the Senate, but later I changed my mind and concluded that I would like to say something myself, and did so, and then gave way to the Senator from Missouri.

Mr. President, I should like very much to have it figured out, as a matter of fairness and justice, how much of the time of

the Senate has been taken up by Senators who are favoring the passage of the bill and how much of it by those who have been opposing its passage. I am reminded by seeing my distinguished friend the Senator from Georgia [Mr. HARDWICK] come in that he consumed some little time.

Mr. HARDWICK. About 30 minutes.

Mr. WORKS. Very eloquently contributing his mite with the balance of them to the defense of the bill. After all these gentlemen had exhausted themselves and said everything they desired to say about the bill and about international law and about the rights of ships on the ocean that does not, in my judgment, enter into this controversy in the slightest degree, then they began to think about shortening the time, not before. I had expected to address the Senate for something like an hour; I did not expect to go beyond that. I endeavored a number of times to get recognition from the Chair, but failed. Finally, when I was about ready or supposed I was about ready to commence my address, a Senator on the other side of the Chamber rose with one of the conference reports, and it took up about two and one-half hours of time or longer in the disposition of that. During that time I went into the cloakroom and got a little sleep, in order to be ready to respond when my turn came. Then came along another conference report, and here I am, after 4 o'clock in the morning, ready and anxious to proceed with the discussion of the bill, when this document comes along.

Mr. President, I think I have been mistreated. I think it is an imposition. I think it is unworthy of this Senate, that is sometimes called the greatest deliberative body in the world. It is a shameful exhibition that will disgrace the Senate of the United States as long as it stands upon the records of the Senate.

Under these circumstances I do not feel very much like obliging the Senator from Mississippi [Mr. WILLIAMS] by consenting to the shortening up of the time in order that this bill may pass. Would you do it if you were in my place? No; you would not.

Mr. POMERENE. Mr. President—

Mr. WORKS. If you had any independence and any sense of right and justice, you would not submit to it.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Ohio?

Mr. WORKS. I yield if I do not lose the floor.

Mr. POMERENE. Does not the Senator think that this question is of such grave importance, whether we look at it from one viewpoint or from the other, that we ought really to vote upon it before 12 o'clock?

Mr. WORKS. Mr. President, I think it is so grave and important a matter that every Member of this body ought to be given the opportunity to discuss it. I do not believe that any coercive measures should be resorted to until every Senator has had the right to exercise his right to be heard.

Mr. POMERENE. May I ask the Senator another question?

Mr. WORKS. Certainly.

Mr. POMERENE. Does the Senator really believe that any further discussion of this question is going to change the viewpoint of any Senator with reference to it?

Mr. WORKS. No, Mr. President; I think the heads of the 76 who signed this document are set. No course of reasoning will ever reach them.

Mr. POMERENE. Does the Senator think his views could be changed on this subject?

Mr. WORKS. No, Mr. President; but I think I have the constitutional right to discuss this question and to let the American people know what I think about it.

Mr. POMERENE. I think that is quite true.

Mr. WORKS. Why are you trying to deprive me of that right, then?

Mr. POMERENE. I am not trying to deprive the Senator of that right.

Mr. WORKS. You may not have participated in it, but it has been done.

Mr. POMERENE. The Senator has presided over the highest court in one of the great Commonwealths of this country where discussion of cases was always limited, and I dare say that there was more intelligent discussion before his court than we are permitted to hear in the Senate.

Mr. WORKS. Yes, Mr. President; but in the court over which I presided the time was equally divided. It was not all taken up by one side and the other side forced to submit its case without argument.

Mr. POMERENE. Those who believe in this legislation have offered to give to those who are opposed to it all of the time. That ought to be an equal division.

Mr. WORKS. Yes; they have been giving that sort of lip service and all the time have been consuming the time of the Senate and doing most of the talking.

Mr. JAMES. Mr. President, will the Senator yield for an interruption there?

The PRESIDING OFFICER. Will the Senator from California yield to the Senator from Kentucky?

Mr. WORKS. I will yield if I do not lose the floor.

Mr. JAMES. The Senator must know that a speech of five hours was made by a gentleman who opposed very vigorously this legislation.

Mr. WORKS. That is only one out of a dozen or so.

Mr. JAMES. And the Senator from Iowa [Mr. CUMMINS] made quite a lengthy speech, did he not?

Mr. WORKS. Certainly. I am perfectly willing, I will say to the Senator from Kentucky, to compare the time taken up by the two sides in this matter. I wish it was before us so we could deal fairly and justly with it.

Mr. JAMES. You will find there has been more time consumed in opposition to it, but we have offered to give you eight hours in addition to what you have already had, if we could get a vote, and yet the Senator thinks it is a disgraceful proceeding for Senators to state how they would vote in writing, when they were denied the right in reality to vote by filibuster.

Mr. WORKS. You are quite right; I think it was.

Mr. JAMES. I thought those who were opposing the measure were actuated by such high and patriotic motives that they were not only willing, but anxious to be placed on record as being opposed to it, that their opposition was so strenuous that they were willing to tie up the machinery of the Government in order that the proposed legislation may die with the expiration of the Congress.

Mr. WORKS. Mr. President, that is very plausible, but I know the Senator from Kentucky well enough to know that so far as he participated in this proceeding it was perfectly understood that the purpose of this document was to coerce other Senators and prevent them from taking the course they desired to take and had the right to take.

Mr. JAMES. If the Senator will permit me, the purpose, as I understood it, was to let the American people know and to let those in Germany who might be misguided by the conduct of a few in this Chamber know that back of the President of the United States stood practically a united people. That is the purpose of it. I would like to ask the Senator this question—

Mr. WORKS. I believe now the Senator is discussing the bill.

Mr. JAMES. I will not interrupt the Senator if he objects.

Mr. WORKS. I am not objecting to being interrupted.

Mr. JAMES. I should like to ask the Senator, does he believe that this conduct, which he describes as disgraceful, if he desires to use that word in applying it to men who merely register their will, is comparable to that of a few Senators who would deny to their colleagues, in a time of great stress and peril like this, the opportunity to vote for legislation to protect American lives and keep the commerce of the country from being destroyed on the high seas?

Mr. WORKS. No; they are not comparable at all. The Senators who are undertaking to discuss this bill are keeping themselves strictly within their rights as Senators. The course that was taken by the majority was an attempt to coerce the other Senators and prevent them from doing what they felt they had a right to do. The two can not be compared.

Mr. JAMES. The Senator speaks of the majority. There are no party lines in this fight, I rejoice to say. The Senators who signed that statement constitute a majority of his own party as they constitute a majority of our party.

Mr. WORKS. I was not speaking of political majorities.

Mr. HARDWICK. Mr. President, will the Senator yield to me for just one minute?

Mr. WORKS. Certainly.

Mr. HARDWICK. I want to say to the Senator—

Mr. WORKS. I suppose it is understood that by these interruptions I am not taken off the floor?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Georgia?

Mr. WORKS. I yield on that condition, Mr. President.

Mr. HARDWICK. I want to ask a question, Mr. President, but I want to make a short preliminary statement in connection with the question. I want to assure the Senator from California that whatever may have been the purpose of any other Senator who signed this document, I had no such purpose as the Senator has indicated.

Mr. WORKS. I never would suspect the Senator—

Mr. HARDWICK. My purpose and my sole purpose—because I would never undertake to coerce a Senator of the United States from any position he takes on this floor, no matter how violently I might disagree with him—was to demonstrate to the world abroad, and especially to Germany, how the Senate of the United States stood on this proposition, because it looked as if, under the rules, we would get no opportunity to demonstrate it in the manner usually prescribed by the rules, to wit, by voting. Now, does the Senator from California think there is anything wrong in that?

Mr. WORKS. How does the Senator from Georgia think the action that was taken would bring about any such result as that? The Senator from Georgia is a reasonably independent man—

Mr. HARDWICK. I hope so.

Mr. WORKS. And he is inclined to assert his rights, I am glad to say. Does the Senator think that he would take a suggestion of that kind patiently?

Mr. HARDWICK. I say—

Mr. WORKS. Just a moment. Does the Senator think that if that sort of thing had been directed at him he would have resented it?

Mr. HARDWICK. I say to the Senator that I would resent as quickly as would he or any other Senator any attempt to coerce me. I would no more be guilty of an attempt to coerce or to bulldoze or to intimidate any Senator on any question than would the Senator from California; but, if the Senator will pardon me, what other method could the Senator from Georgia and other Senators who signed this paper, without any intention whatever to reflect on their colleagues, take of demonstrating to the world exactly how the Senate stood on this question under the present situation?

Mr. WORKS. Mr. President, the Senator from Georgia must recognize the fact that this is a lawless proceeding, which was not in accordance with the rules of the Senate.

Mr. HARDWICK. There is nothing in the rules of the Senate to prevent any number of Senators from saying in writing or otherwise how they stand on a question.

Mr. WORKS. Certainly not; but it is not a question of the violation of the rules of the Senate; it is a question of propriety and justice and fairness, which ought to appeal to the Senator from Georgia.

Mr. HARDWICK. If the Senator from California will pardon me—and then I am not going to continue this discussion—

Mr. WORKS. I am not objecting to interruptions.

Mr. HARDWICK. The Senator from Georgia would no more be a party to a proceeding of the character described by the Senator from California than would the Senator from California; but the Senator from Georgia can not concede the propriety of the criticism made by the Senator from California, so far as he is concerned at least. It seems to me now, and it did then, as though this was the only way on earth that we could make it absolutely plain to the entire world how large a majority of the Senate stood ready to pass legislation of this character. That was why the Senator from Georgia signed the paper.

Mr. WORKS. I want to ask the Senator from Georgia—because I have always looked upon the Senator as being a fair and just-minded man—if he does not think that it would be infinitely worse, if this paper were really prepared and signed for that purpose, to coerce a Member of this body and prevent him from discussing an important measure like this, than to have this bill go over until another session of Congress?

Mr. HARDWICK. Well, the "Senator from Georgia" is unable to answer that question, because it is hard to weigh a question of that kind. I think both would be evil, but I think the Senator from California, if he will pardon me, is taking a strained view of the situation. I believe there are many Senators on both sides of the Chamber who signed this document who are not apologizing, and who are not ashamed of it, for reasons exactly like those described by the "Senator from Georgia."

Mr. WORKS. I am sorry to hear they are not ashamed of it after the use that has been made of it.

Mr. HARDWICK. Be that as it may, it was to be put in the Record. We knew that. I do not know what remarks were made in connection with the proceedings—I was not on the floor at the time—but I do say that Senators ought to put into the Record what their position is on questions of this sort, and that a statement of the position of a number of Senators who signed a document like that is no reflection on Senators who take an opposite position, and who ought not to be ashamed of their position, and doubtless are not ashamed of it.

Mr. WORKS. Mr. President, I am sorry the Senator from Georgia did not hear the remarks that were made in the presentation of the document—

Mr. HARDWICK. I did not hear them.

Mr. WORKS. For, if he had, he would be apologizing to the Senate.

Mr. HARDWICK. I do not know about that.

Mr. WORKS. Mr. President, this is not the first effort that has been made to control votes on this important question. Only a few days ago while this question was before the Senate there came out of the White House, through the newspapers, instead of coming directly to Congress, the Zimmermann letter. Does anyone doubt the fact that it was sent out for the purpose of influencing votes in the Senate and to secure the passage of this bill? I do not. I know, Mr. President, from the lips of some of the Senators on the other side of the Chamber that before this document was published in the newspapers no such authority as the President was asking for would have been given even by the other side of the Chamber. I was told that the Democratic Members had been polled upon that question, and that they were against it. Is it not a little singular that, after this information was brought to the attention of the Senate, and particularly to the attention of the people of the country, there should have been such a change of sentiment on the other side of the Chamber, and, I presume, on this side of the Chamber also?

Mr. OLIVER. Mr. President, will the Senator from California allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. WORKS. I yield to the Senator.

Mr. OLIVER. Mr. President, I desire to say that the Senate bill—and I think the other members of the Foreign Relations Committee will bear me out in the statement—was considered and adopted, according to the best of my recollection, in the Committee on Foreign Relations, and its report was ordered before the Zimmermann letter was published.

Mr. WORKS. I have no doubt of that. Mr. President, I was not talking about the Foreign Relations Committee. I think I could count noses in the Committee on Foreign Relations and tell pretty well what would come out of that committee upon a proposition of this kind. I was talking about the effect upon the Senate, and not upon the committee. I suppose, however, the committee was not unanimous, from what has occurred on the floor of the Senate.

Mr. OLIVER. Mr. President, I will say that, according to the best of my recollection, in the committee there were only three members out of the full committee who voted against reporting the bill, and they declined on matters of detail.

Mr. WORKS. I should like to know what the Senator from Pennsylvania regards as "matters of detail"? I know from the speech that was made by the Senator from Missouri that the difference in the Senate is upon what I regard as a most vital question, namely, the right to carry contraband—arms and munitions of war—to a belligerent and giving the President the power to protect the rights of people to carry munitions of war. Does the Senator from Pennsylvania regard that as a "detail"?

Mr. OLIVER. I will, if the Senator will allow me to state—

Mr. WORKS. I should be glad to know whether the Senator regards that as a matter of detail?

Mr. OLIVER. Of course, Mr. President, I regard that as a very important matter; but the difference of opinion—while I hesitate to state what happened in the committee—

Mr. WORKS. I was not seeking the secrets of the committee. The Senator volunteered the information.

Mr. OLIVER. I understand that, Mr. President. The difference was largely as to the adoption of amendments, practically those suggested by the Senator from Missouri.

Mr. WORKS. Mr. President, with this brief statement, much of the time having been taken up by Senators who are trying to hasten action on this bill, I object to the request for unanimous consent in its present form.

Mr. BRANDEGEE. Mr. President—

The PRESIDING OFFICER. The Senator from Connecticut. Mr. BRANDEGEE. Has the Senator from California yielded the floor?

Mr. WORKS. No; I have not yielded the floor.

Mr. BRANDEGEE. I beg pardon; I thought the Senator had yielded the floor.

Mr. WORKS. The Senator could hardly expect that I would do so under the circumstances. I have not had an opportunity to address myself to this bill at all.

Mr. BRANDEGEE. I thought the Senator had abandoned his intention. I thought when he said he objected he had concluded his remarks. I beg the Senator's pardon.

Mr. WORKS. If the Senator from Connecticut had abandoned his intention and had not discussed this bill, I might have found it unnecessary to discuss it.

Mr. BRANDEGEE. I had not the slightest idea of interrupting the Senator's remarks. I thought the Senator had concluded.

Mr. WORKS. I do not want it understood that I am taking any exceptions to the course of the Senator, except that I think that he ought not to have signed this document. I will say to him frankly that I think, when he comes to reflect upon it, he will be ashamed of it.

Mr. OLIVER. Mr. President, so far as I am concerned, I am proud of it.

Mr. WORKS. Then I am sorry for the Senator from Pennsylvania. It is an exhibition before the people of the United States of which the Senator ought to be ashamed.

Mr. OLIVER. I am glad to exhibit myself in that light.

Mr. WORKS. I am sorry to see the Senator from Pennsylvania do so, because I hold the Senator in very high regard.

Mr. BRANDEGEE. Mr. President—

Mr. WORKS. Does the Senator desire to interrogate me?

Mr. BRANDEGEE. I want to say to the Senator, inasmuch as he alluded to me by name—

Mr. WORKS. Good naturedly.

Mr. BRANDEGEE. I understand that, but the Senator alluded to me for having signed this paper—

Mr. WORKS. I hope the Senator is not undertaking to take me from the floor. I am sure he would not be so unkind as that.

Mr. BRANDEGEE. I would not, and I will not interrupt the Senator unless the Chair—

Mr. WORKS. If the rule is being enforced, I think that would be the effect.

Mr. BRANDEGEE. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Connecticut?

Mr. BRANDEGEE. With the understanding that he does not lose the floor.

The PRESIDING OFFICER. Of course.

Mr. BRANDEGEE. Very well. I simply want to say to the Senator that I signed this paper because, in my judgment, after some experience in this distinguished body, I in some way felt that we were not going to be able to reach a vote by 12 o'clock to-day on this bill. I thought it was an extremely important bill to the Nation, and I did not want it to go out to the world—to this country and to other countries—that the President of the United States having come before a joint session of Congress and asked for this authority in the present emergency the United States Senate had refused to give it to him. I was satisfied that the great majority of this body were in favor substantially of this legislation. I wanted an opportunity to record my position, I wanted it to go to the world what the situation was in the Senate. I had no idea whatever then or at any other time of coercing any other Senator or of influencing any other Senator in any way whatever.

The Senator has alluded to the fact that more time has been taken in support of this bill than in opposing it. What the fact about that is I do not know. If it is true, I would think it quite natural, for while some 60 Senators have signed the paper saying they were in favor of the legislation there are only a few against it, and I should think, if we count each Senator as entitled, at least, to equal rights, that more time would be consumed by the 60 than by the 7.

Mr. SMITH of Georgia. Seventy-six signed the paper.

Mr. BRANDEGEE. Very well; whatever the number is. Now, there are eight hours left. I am a member of the committee. I took one hour, and I am sorry I did. If that constituted any grievance or usurpation or intrusion upon the rights of any other Senator I apologize. I wish now that I had not said a word. But now the Senator from California and those who believe with him on this subject, I think, can have to themselves the whole eight hours which are left, if they so desire; and I think they ought to give every man an equal chance.

Mr. WORKS. Mr. President, I think we may, if Senators will let us alone; but if the Senator from Connecticut and others continuously take up time that belongs to us, we will reach 12 o'clock directly.

Mr. BRANDEGEE. I am willing to reach it. I do not think a Senator has a right to stand up here and criticize other Senators and attribute wrong motives to them or criticize them for giving their real motives and then decline to give them an opportunity to reply. That is all I have to say.

Mr. WORKS. I have no objection to the Senator giving his motives. I assume that they are always good; and I do not suppose the Senator from Connecticut realized that this paper would be used for any such purpose as it has been devoted to. I hope not.

Mr. BRANDEGEE. I realized that it was to be used for just the purpose that I have stated, to inform the world where the United States Senate stood on this question. That is what I signed it for, and I am proud of it, and I hope the world will take note of it. I have no apology to make for it, and I would do the same thing over again, without any intention of coercing anybody or infringing on the rights of any other Senator.

Mr. WORKS. Well, Mr. President, I agree entirely with the Senator that the statement might have been signed by any number of Senators who desired to sign it and might at the proper time have been incorporated in the Record, but it was certainly illegitimate; it was certainly unjust to use it at the time it was used and in the way it was used.

Mr. BRANDEGEE. Mr. President, I did not know when it was to be used. I am sorry if the Senator is offended because of the time selected for its use. I wanted to have the statement put in the Record and sent out to the press of the country, and I did not care whether it was done at 7 o'clock last night or at 7 o'clock this morning. That is perfectly immaterial. The Senator has all the time there is left until the time of adjournment of the Sixty-fourth Congress.

Mr. WORKS. I presume not. I think, perhaps, there may be other Senators who would like to be heard. I do not know; but certainly I am not going to take up all the time; and I should have taken less time in the actual discussion of the bill than I have taken up in discussing this document, if I had been let alone.

Now, Mr. President, some Senators seem to think that it is an important thing that this bill should be passed. They would like to have it passed by the Senate unanimously. They want it made unanimous principally because of its supposed effect upon the Imperial Government of Germany.

Mr. President, some Senators seem to think that it is an important thing that this bill should be passed. They would like to have it passed by the Senate unanimously. They want it made unanimous principally because of its supposed effect upon the Imperial Government of Germany.

I am not here for the purpose of making a record for the Government of Germany. I am here to stand by the President when, in my conscientious judgment, the President is standing for the best interests of the Government of which he is the Chief Magistrate. If I did not believe that, I would oppose this legislation although it had been requested by the President. I would oppose it if I were the only Member of this body who believed conscientiously that the bill should not become a law. If I did not, I would feel that I was unfit to be a Member of the United States Senate. I would feel that I had violated the oath that I took when I became a Member of the Senate. I would think, Mr. President, that I was betraying the people of the United States.

I do not believe that this bill ought to pass. I do not believe that it is in the interest of the people of the United States. I am here to say so in the name of what I believe to be the great majority of the people of this Nation. The people of the United States do not want war. They are more consistent in their attitude on this question than some of the Members of this body, who have declared over and over again that they wanted peace when, in the very same breath, they were agitating the passage of a law that in my judgment means war. They, some of them, are advocating it knowing that it meant war. Some of them are agitating it and saying at the same time that they regarded it as a declaration of war.

Mr. President, if the question were squarely presented to the Senate of the United States as to whether we should declare war on Germany, how many votes do you think it would get in the Senate? It would not get 76 votes I am morally certain. I do not believe a proposition of that kind would receive the votes of a half-dozen Senators if it were presented to the Senate this morning; and yet we are asked to do something that will lead us just as surely and as certainly to war as if we openly declared it, and there are Members of this body who are advocating the passage of this bill upon that very theory—that it does amount to a declaration of war.

If we believe in going to war with Germany because of the things that have already happened, we ought to have the courage of our convictions and exercise the constitutional right and duty that attaches to the office of a United States Senator, and openly and courageously declare war against that country. Why should we turn over to the President of the United States the responsibility that belongs to us? Why should we, with our assent, place in the hands of the President the right to make war which will force the Congress of the United States to declare it? Mr. President, I do not like that way of dealing with a question like this, which involves the future destiny of the Nation.

It has been asserted on the floor of the Senate over and over again that it is not necessary for Congress to take any such action as this. Senators maintain that the President already has the power to do just what we are proposing to authorize him to do. The President himself has declared in his message to Congress that he has the constitutional right to do what we are proposing to authorize him to do. Then why should the Congress meddle with it at all? Does it give it any additional force? Is it intended to vest this power in the President, or is it intended to affect the public mind, and especially to satisfy Germany that we are all for war and that we are going to stand by the President?

Mr. President, the attempt to pass this unfortunate, this unnecessary piece of legislation has led to some strange conditions, some remarkable situations, and some amazing inconsistencies. This bill was introduced in the Senate, I believe, by the senior Senator from Missouri.

Mr. STONE. No; it was not, except in this way: The bill was framed in the first instance by the Committee on Foreign Relations, and by direction of that committee I presented it to the Senate for reference to the committee.

Mr. WORKS. I am very glad to be corrected by the Senator from Missouri. I did not intend to misstate the facts respecting it; but it is not important to what I was about to say, and it only confirms what I intended to say about it.

This bill, being framed by the Committee on Foreign Relations, it might very well be expected that it would be reported to the Senate by the chairman of that committee, and that he would take charge of it in the Senate. That is customary. But it turned out, when the bill appeared in the Senate, that for some reason or other—I suppose it was because the Senator from Missouri desired to modify or change the bill by an amendment that he has subsequently discussed—the bill was turned over to the Senator from Nebraska [Mr. HITCHCOCK].

The Senator from Nebraska is as much of a pacifist as I am. Like myself, he introduced in the Senate a bill to prohibit the exportation of munitions of war. Those two bills went to the same committee—the Committee on Foreign Relations. Of course, I do not know what was done respecting them in the committee. The Senator from Nebraska does, because he is a member of that committee. I know that while the bill that was presented by me went to the committee some months ago, it never has come out of that committee.

Now, the Senator from Nebraska, who is the author of a bill to prevent the exportation of arms and munitions of war to the belligerent nations, appears here in charge of and the champion of a bill the principal object of which is to protect the exportation of munitions of war. The Senator from Missouri [Mr. STONE], the chairman of the committee—very properly, I think—is attempting to have this bill so modified that a ship carrying these contraband goods shall not be protected by the President in the way that is provided for by the bill. But it is a singular thing, and it seems to me to be a little bit inconsistent, that the Senator from Nebraska should appear here as the champion of this kind of legislation; but he tells the Senate why. He says it is because he thinks the President believes in peace, and that if we vest this authority in him to do any act which might involve us in war it never will be done.

If we are going to vest this power in the President, I hope the Senator from Nebraska is right; but why, if that be true, are Senators like the Senator from Massachusetts [Mr. LODGE], the Senator from Connecticut [Mr. BRANDEGEE], and the Senator from New Mexico [Mr. FALL] supporting this measure to turn over this power to the President, who will never exercise it? They do it because they believe in war. Some of them are quite frank enough to say that they believe in declaring war against Germany. One of them said that if it were left to him he would do it within 15 minutes.

But, Mr. President, the turning over to and vesting in the President of the United States this power is not the worst feature of this bill, by any means. We might expect the President to use it with caution and discretion and in the interest of the American people; but what we are proposing to do is to authorize the President to arm these privately owned ships and to place Government guns on them, making it in a sense an official act of the Government if anything is done, and then turn these privately owned ships loose on the ocean to determine whether or not the act shall be done that will constitute war. Mr. President, knowing the interest of these shipowners, and knowing why they are willing and anxious to go to war with Germany—because it will put money in their pockets—does it not seem to be a dangerous thing to put our guns upon those ships and allow them to go out on the ocean and exercise their discretion, or indiscretion, as to what shall be done in the way of making war upon German ships?

These Senators, or some of them, have discussed international law with a great deal of learning. I do not know very much about it myself; but what has that to do with this question, I ask Senators? If these ships go out in the way I have indicated, do you suppose that the men who are operating them are going to figure upon the technical rules of international law in dealing with this question? This bill gives the right to resist anyone who unlawfully interferes with the rights of an American citizen on the ocean. Who is going to determine that question? The President is not going to be able to do it. The President will not be there. The Congress of the United States will have parted with all power or authority or control over it, and it will be left to the mercy of these men who are sailing these ships, and they have it in their power to bring this country to war.

There is another inconsistency that presents itself by the terms of this bill, to which I have already adverted incidentally, and that is the fact that we are undertaking to confer on the President a power that he already has. I am not going to pursue that phase of the matter further; but the most amazing thing about it to me, in view of the fact that the Senator from Nebraska is in charge of this bill, is that he has so amended it that an American citizen traveling on the ship of another nation can be afforded no protection, and no authority is given to the President to protect an American citizen unless he is traveling upon an American ship.

Do Senators remember what was said about the *Lusitania* and the loss of American lives on that ship, which was not an American ship? Under this bill, if 100 American citizens should again travel on a ship just as our citizens did upon the *Lusitania*, if that amendment is adopted, they would have no protection from their Government at all; but the American ship that goes to Great Britain, loaded to the guards with munitions of war intended to slaughter German subjects would be protected. It would not make very much difference whether an American was traveling upon the ship or not. Under the provisions of this bill the ship itself must be protected, and we become the protectors of a nefarious trade in munitions and missiles of death that are being sold by American citizens to be sent over to be used in taking the lives of German subjects. I do not know whether that amendment will be adopted by the Senate or not, but I am directing attention now to the course of the Senator from Nebraska who wants to close my mouth in opposition to this bill.

As I construe the bill that came from the Committee on Foreign Relations of the Senate, and as I construe the bill that came over from the House, both of them undertake to protect the lives of Americans who are lawfully traveling on the sea. They would give the President of the United States the right to protect you or me if we were traveling upon a British or any other foreign-owned ship, and the President would have the right under the bill as it came from the Committee on Foreign Relations to convoy with United States battleships a British ship upon which one American citizen was traveling. That is the kind of legislation that came in from the Committee on Foreign Relations. When you undertake to change it, as suggested by the Senator from Nebraska [Mr. HITCHCOCK], then you become inconsistent. There is no question but that an American citizen traveling on a British ship is lawfully traveling on the ocean. Why should he not be protected by his Government just the same as the man who travels on an American ship if we are going to be consistent?

But, Mr. President, I am not contesting the right of an American citizen to be protected by his Government wherever he may be. That is not the question presented by this bill, in my judgment. Of course, the American citizen has a right to expect of his Government that he will be protected. Nobody needs to argue that question with me. But the question is, and that is the vital question in this matter, whether the Government of the United States should go to war with a great nation for the purpose of protecting one or half a dozen American citizens who are traveling in this danger zone and who might very well keep out of it as patriotic citizens?

I know that Senators say we have a right to go across that danger zone, that we have a right to go anywhere on the ocean. So has a man the right, if he does not trespass upon private property, to travel between the contending forces in France; and according to the provisions of this bill it would be the duty of the President of the United States to convoy him through between the lines by a battalion of American soldiers. Of course, the President would not do as unreasonable a thing as that, but there are fool Americans, I am afraid, who would be unwise enough to do that very thing. It is not very much worse than the case of an American citizen, after the declaration was issued by the German Government that ships would be sunk, who undertook to cross that zone, if he persists, not-

withstanding the known danger that presents itself, to travel across it. There is no more reason in justice that the Government should convoy him across that strip of the ocean than that it should protect him if he traveled between the contending forces on the land.

Mr. President, if I had the power to prevent it, no American citizen would be allowed to go into this danger zone, whether he traveled upon an American ship or any other ship. No American citizen would be allowed to ship munitions of war or any contraband into or across this danger zone if I had my way.

Mr. CLAPP. Will the Senator pardon a question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Minnesota?

Mr. WORKS. Yes.

Mr. CLAPP. I presume, and yet I am not certain, and I ask the Senator the question whether he has observed that England prohibits the embarkation not of all people but of women and children from the colonial ports to the ports of England?

Mr. WORKS. I thank the Senator for attracting my attention to that fact. But, Mr. President, no good, patriotic citizen of this country ought to expect to be coerced into remaining out of this danger zone. If he were the right sort of an American citizen he would stay out of it voluntarily. Oh, but they say that would be cowardly; we must assert our rights; if we do not, other nations will be pointing the finger of scorn at us and saying, "You have not the courage to assert and maintain your rights on the ocean." Mr. President, if this great Government of ours had the moral courage to prevent that kind of travel it would be the greatest act of heroism ever enacted by a government. If we go into this war we will go into it because we are afraid; not afraid to fight; oh, no; but we are so afraid somebody will say that we are cowardly. The fact is that we have not the courage to remain out of this war and to waive for the time being the opportunity to make money by shipping munitions of war and other things across the danger zone. We lack the moral courage to keep out of danger because some one will call us physical cowards if we do.

Mr. President, is that really the reason why we want to go to war with Germany? If it is, why have we not gone to war with Great Britain? Great Britain closed the ports of Germany against us and we submitted to it patiently. We were willing to forego the trade, not only with Germany but other nations, at the command of Great Britain. It is true they did not, so far as I know, in maintaining their blockade that shut us out of the German ports, kill any of our people. It was not necessary. We simply submitted without question and did precisely what I think we ought to do now in the case of Germany—respect the blockade and keep out of the danger zone.

I have received letters running up into the thousands from good American citizens protesting earnestly against this step toward war. I wish some of the Senators who think this country wants to go to war with Germany could read the letters that I have received on that subject. I have just one of them here, which came to me to-day, that deals with the inconsistency of this Government in its conduct toward Great Britain and Germany respecting this question of blockade, and I would like to have it read at the desk.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it will be read.

The Secretary read as follows:

ALLENTOWN, PA., February 26, 1917.

Hon. JOHN D. WORKS,
Washington, D. C.

DEAR SIR: In view of the present grave international crisis, I am desirous of presenting to you a phase of the matter entirely too often disregarded at present.

Under stress of war Great Britain declared a blockade of Germany, which our Government declared was contrary to international law, but dropped the matter after a protest. No attempt was made by the President to arm vessels to run this blockade, nor was there any hint given of vigorous measures to enforce the undoubted right of our vessels to freely trade with Germany in the admitted absence of a legal blockade of her ports. Now, when Germany declared a retaliatory blockade of English ports, equally contrary to existing international law, although admittedly retaliatory in character, this blockade was taken up by our Government as a gross violation of our rights, while the first illegal blockade was passed over with an exceedingly mild protest. Now, the right to send vessels to German ports in the absence of a legal blockade was just as real as the right to send them to English ports; and if the true American spirit of justice controlled the attitude of the Government, the first blockade would have been dealt with first, or, at the very least, would have been dealt with as seriously as the second, which was conspicuously not the case. And as to the matter of loss of lives, this is a natural consequence of attempts to run any blockade. Can any reasonable person suppose that if our vessels had tried to run the blockade declared by England, instead of calmly submitting, they would not have been fired upon and sunk? The question, therefore, is entirely one of the legality of the blockades; both were illegal, and the British was the first.

Now, the proposal has been made to arm ships, or even take them under the protection of the Navy, to insure their right of sailing to England, which established the first illegal blockade, and not one word is spoken of arming ships to run the British blockade and exercise

their undoubted right to trade with the Teutonic countries in the absence of a legal blockade of their ports.

We can not as a Nation take such a one-sided step without hypocrisy, for, to be genuine, any sincere enforcement of our rights upon the sea would mean their safeguarding against all the belligerents and not against one side only. Should such a one-sided and insincere program as the above involve the Government in war, we as a Nation will go into it with a lie on our lips.

So, therefore, earnestly hoping that the Senate of the United States will never so depart from true Americanism as to adopt an insincere program and follow it to an unjust war, I respectfully request you, as a Senator of a country founded on the highest ideals of justice, not to uphold any program for enforcing our national rights unless this program sincerely plans to uphold them against all the belligerents alike, with discrimination toward none, and is, furthermore, really essential to our national safety (not a mere temporary issue arising out of the war and not seriously or permanently threatening the Nation).

And I solemnly ask you to remember that it is God before whom we shall finally stand in judgment and not the President nor the partisan newspapers.

Hoping you will conscientiously look into the matter before deciding upon your course of action, I have the honor to be

Your obedient servant,

JOHN E. BAUMAN.

Mr. WORKS. Mr. President, the newspapers of this country are largely responsible for the condition in which we find ourselves to-day, and if we shall go to war with Germany the blood of the young men of this country who will be called upon to defend its rights will be on their hands. The Senator who undertakes to do just what I am doing here now in the performance of what I conceive to be my duty as a United States Senator is denounced and traduced by these newspapers for performing that duty. These attacks on him go out all over the country. The columns of these newspapers are filled day after day with misrepresentations, false accounts, insinuating articles that inflame and excite the public mind and arouse the prejudices and the anger and the hate of the American people against Germany. Some people have asserted that they are subsidized by the British Government, but that is not necessary. They are subsidized here at home. Those of them that are not subsidized or bought by selfish interests are themselves willing voluntarily to embroil this Government in a war with Germany in their own interests. Great Britain appreciates this, Mr. President. The English people like that sort of thing. They know very well that they have allies upon American soil. They know that there are thousands of American citizens to-day who are anxious to have this Nation go to war with Germany, not for the purpose of protecting American lives, but to aid Great Britain.

I have here just a brief extract from the London Daily Chronicle that shows something of the appreciation of the people over in England, and I will ask that it may be read by the Secretary.

The PRESIDING OFFICER. Without objection, it will be read.

The Secretary read as follows:

The debt that England owes the newspaper world of America can not be estimated. The editors of the best journals have been fearless and very shrewd champions of the allies' cause. It is these editors who have made the German monster a reality to the American people, and this quietly and with most deadly logic. We have no better allies in America than the editors of the great papers. (London Daily Chronicle.)

Mr. WORKS. Mr. President, the effort to corrupt the public mind and to incite our people to war and to create prejudice against any American citizen who is not willing and anxious to go to war with Germany is not confined to the newspapers. A short time ago we passed the birthday of George Washington, and the day was desecrated and the name of the Father of his Country dishonored by inflammatory speeches made on that day, which should be sacred in the minds of every American citizen to liberty and to peace. A Member of this body who made a speech on that day before a public assembly here in this city of Washington is reported to have said that George Washington had his Tories, Abraham Lincoln had his "copperheads," and that Woodrow Wilson has his pacifists. Well, Mr. President, if the people who are making speeches of that sort and comparing the pacifists with Tories could see how many times in the letters I receive they themselves are called Tories by the American people they would be a little bit cautious about charging those of us with being Tories who believe in peace. George Washington did have his Tories, but George Washington was not proposing to go to war with a foreign nation. He and his brave followers were risking their lives and sacrificing themselves for the establishment of the independent Government under which we now live. Abraham Lincoln was not proposing to go to war with a foreign nation. He and the brave soldiers who fought the Civil War were endeavoring to maintain and to preserve the Nation that George Washington had established. Does anybody suppose that if George Washington were here to-day he would be advocating war with Germany? Does anybody believe that Abraham Lincoln, who was a man of peace, if he were here to-day would be advocating a war with Germany?

Let us see what George Washington says about it. In his Farewell Address to the American people, in speaking of complications with foreign Governments existing at that time, he said:

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice and by that of your Representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

He refers in this message to the course taken by him when foreign governments were at war and we were threatened with complications that would lead us into the strife, and covering that question he issued a proclamation that is evidently referred to in the Farewell Address, in which he says:

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands of the one part, and France on the other, and the duty and interest of the United States require that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers.

I have therefore thought fit by these presents to declare the disposition of the United States to observe the conduct aforesaid toward those powers, respectively, and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever which may in any manner tend to contravene such disposition.

And I do hereby also make known that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations by committing, aiding, or abetting hostilities against any of the said powers, or by carrying to any of them those articles which are deemed contraband by the modern usage of nations will not receive the protection of the United States against such punishment or forfeiture; and further, that I have given instructions to those officers to whom it belongs to cause prosecutions to be instituted against all persons who shall, within the cognizance of the courts of the United States, violate the law of nations with respect to the powers at war or any of them.

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents and signed the same with my hand.

Done at the city of Philadelphia the 22d day of April, 1793, and of the independence of the United States of America the seventeenth.

[SEAL.]

GO. WASHINGTON.

By the President:

TH. JEFFERSON.

Mr. President, that shows pretty clearly what George Washington would have done under the present circumstances. If an American citizen saw proper to manufacture and to ship to belligerent nations munitions of war to help carry on the war between the belligerent nations, the then President of the United States declared that he would receive no protection from his Government, but that he would be left to suffer the forfeitures which might be imposed upon him for that violation of neutrality.

Mr. President, one who assumes at a time like this to speak for the American people should search his own conscience and know why he speaks and in whose interest. Are we speaking to-day in the interests of the great masses of the American people who are crying out all over the country against going to war? Are we speaking for the people who are following the advice of the President of the United States to maintain strict neutrality, who believe in neutrality and are doing their part to maintain it, or are we speaking for the selfish few who are after the almighty dollar, who like war because war means money in their pockets? Are we attempting to protect the rights of American citizens who are traveling upon the ocean, or are we trying to protect the trade out of which a few American citizens are growing rich?

Mr. President, this is a time for independent thinking and for honest, candid, fearless speaking, and may God protect this Nation from moral cowardice in high places. What we are doing this day may mean peace and happiness, or war and desolation for our people. It may mean that the young men and boys who are to-day at the workshop, in the counting house, in the schools and colleges shall have to be sacrificed by being forced by men who will never see the trenches into this horrible war. It may mean thousands of desolated homes, thousands of crippled, maimed young men, thousands more of widows and orphans; and yet the effort is made to prevent a Senator of the United States from protesting against the horrible effects that are likely to follow the legislation we are going to pass to-day, if we come to a vote.

Senators seem to think that because they have a majority they should be allowed to force this Nation into war; that they have the right by the simple force of numbers to close the lips of an American citizen representing 100,000,000 of other American citizens and prevent him from raising his voice against it.

I have letters by the hundreds from laboring men in this country protesting that they do not want war. They are protesting—and it has been made light of in the last few days on the floor of the Senate—that the honor of the United States is not involved; and it is not. Germany is not moving against this country. She has not been guilty of any aggression against

us. She has taken the lives of a few of our citizens, because they got in the way when she was prosecuting a war against another nation and fighting to preserve her existence. If the German Government should make aggressive warfare against the United States, you would not need any exhortation in the Senate of the United States to arouse the patriotism of the American people. You would not be holding open your enlistment stations without getting any soldiers. Then, Mr. President, we would all be behind the President of the United States in preserving the honor and integrity of the American Nation. We would not find any pacifists; we would all be for war.

You talk about peace at any price! There are no good American citizens who believe in any such thing. It is an unjust imputation upon the people of this country. American boys have given evidence of their courage and their manhood on many a battle field; and the boys of to-day are just as patriotic, just as courageous as the boys of '61. But the boys of to-day before they go to the front want to know that there is cause for war, as there was in the Revolution and in the Civil War.

I sometimes think, when I see to what a fearful extent the American people are obsessed with the desire to get money and grow rich, that we may be losing our Americanism, that the patriotism of the American people is being undermined; and there has crossed my mind sometimes, and I have tried to banish it, the thought that it might be good for this Nation, maybe, to have a war. I do not believe it. I do not believe our commercialism and moneygrubbing have so far reached and degraded the American boy as to make it necessary to send him into the trenches in order to revive his patriotism. That has been left to the older men. I would not trust the patriotism or the Americanism of a good many of them. If it were not for the very fact that so many of the American people have placed the dollar above everything else, we would not be thinking about going across the danger zone that has been established by the German Government in order to prosecute our trade and make money. Whether these corrupting and degenerating influences that are so far affecting the grown people of this country have yet so far touched the boys and the young men as to make it necessary that we should resort to some such heroic remedy as that of going to war it is hard to tell; and I sincerely hope that that time has not come yet.

The mothers of this country are sometimes quoted as saying that they do not want their boys to go to war; but do you suppose there is any good American mother who, if any other nation should attack the United States, would not give up her boy for its defense? I can remember the time, Mr. President, when my own good mother, without a murmur, gave up her boys to go to the Civil War. The mothers of to-day would make the same sacrifice under the same circumstances, if I know the American mother. But some patriotic mothers are protesting against their boys being sent to Germany or out upon the ocean to battle with German ships for any such cause as has been presented up to the present moment; and, Mr. President, I join in that protest.

Let the newspapers say what they may. I think they have pretty nearly exhausted their vocabulary so far as I am concerned, but they may think of some other mean things to say about me because of what I am saying to-night. But let them say what they please; they do not understand the sentiments of the American people. They are not representing the sentiments of the people of the United States. The people all over this country are crying out and protesting against the misleading tactics of the American newspapers; so they may say what they like about me. I am willing to leave my conduct to the candid judgment of the thinking people of this Republic.

When the question was up under what has come to be called the Stone resolution there were five Senators who opposed that measure to the end. I suppose all of the five have been denounced by the newspapers as I have, but I do not know but that I think a little better of myself than I did before because of the attack made upon me by the newspapers. I was comforted by a little verse of poetry from an American poet, James Russell Lowell, who said this:

They are slaves who will not choose
Hatred, scoffing, and abuse
Rather than in silence shrink
From the truth they needs must think;
They are slaves who dare not be
In the right with two or three.

Mr. President, I think I have said enough and consumed as much of the time of the Senate as I feel justified in taking under the circumstances. I think the 76 will bear witness that I have been discussing the question before the Senate. I have not departed from it. I have not attempted to take up unnecessary time. I have said what I felt it was my duty to say, and this

will be the last time that I shall be permitted to address the Senate of the United States on any subject.

I am leaving the service of the Government, as I think, at a critical time. Perhaps I might be of no service to my country if I were to remain here. I am leaving to other Senators a grave responsibility. I pray God they may be directed aright, and that the people of this country may be saved from the horrors of war that now threaten them, and that as a nation we may remain at peace with all the world.

Mr. CLAPP. Mr. President, about 12 o'clock last night a request was made that we agree to a time to vote. I indicated then a desire to voice my reasons for such action as I shall take upon the pending bill; and while, of course, I could not in so many express words say that I would consent after I had spoken, I indicated as clearly as one could indicate that thought without seeming to disregard the rights of anyone else.

Six hours have passed, during which time I have sat here, save for a few moments in getting lunch, waiting for an opportunity to speak. In view of that fact, I have no apologies to offer for having then refused to agree to a condition which might have prevented my speaking. At that time the Senator from California [Mr. WORKS] had the floor. Since then he has devoted what I think no one will say was an unreasonable time to the discussion of the momentous question of whether this Republic shall be plunged into war. The balance of those six hours was consumed in the consideration, among other things, of a conference report upon an appropriation bill. I have no responsibility for bringing in that report and did not participate in the discussion. Another portion of that time was consumed in the presentation of a paper and the discussion incident to its presentation. Knowing that the charge was being made that I was attempting to delay the consideration of this bill, I took particular pains to note the amount of time which I took in that discussion, a trifle less than five minutes. That discussion, and the consideration of matters brought in by others, occupied the balance of the six hours. Again I repeat, I have no apology to offer for having, at 12 o'clock, refused to consent to a condition which might have prevented me from voicing my sentiments upon what I regard as the most important question that has arisen in the last half century.

Mr. President, during this debate we have heard a great deal about international law. I shall devote no time to that subject, because anyone interested in the matter and deeming it of any possible relation to the question under consideration can consult the bulky volumes upon that subject wherein he will find opinions almost as much at variance as the opinions which have been expressed here.

At the outset, that it may perhaps serve to illuminate my remarks, I want to say that I am opposed to the pending bill in the form reported by the Senate committee. My opposition to that is based upon the fact, not only according to my own judgment, but confirmed by the opinions of others, some of whom have defended the bill, that it is equivalent to a step that tends to war.

Mr. President, the Senator who presented this bill, the eminent Senator from Nebraska [Mr. HITCHCOCK], dwelt at some length upon the character of the President of the United States. Save for the fact that he is now President and taking the chances and possibilities of life, he may, and I certainly hope he will, live to the end of his term, and that after that he may enjoy that reflection which comes to one who has held a great office and feels that he has faithfully served the people in that capacity. Aside from this fact the President bears no relation whatever to this bill. No one holds Woodrow Wilson in higher esteem than I do, and oftentimes I have been met with a covert sneer from this side of the Chamber because of that fact. More than once my defense of him upon this floor has met with that sort of response. I do not agree with him as to our domestic policy, and I have voted, I think, against many of that group of policies that on the surface, it must be admitted, placed his first administration in the foremost rank of administrations of this Republic as a great constructive administration. To my mind, while they seemed to be great policies, and I will not take the time this morning to point out why, as I did from time to time while these policies were pending, it appeared that whatever may have been the purpose, and I always believed it was a lofty purpose, a desire to serve the American people, the President was dealing with questions and dealing with men, neither of which he thoroughly understood.

But, sir, in his foreign policy he has had no more ardent supporter than I have been, not because he is President of the United States, for I am no hero worshipper, but because I have believed where I could not have that information which I knew or thought I knew he must have, that with the information I could have, and trusting to the probability of his much more

thorough information, he was acting up to high ideals and lofty purposes. When the troops went to Mexico the first time, while I would not, if it had been in my power, have sent soldiers to be sacrificed upon a foreign soil because a brigand would not salute our flag, yet after he had acted, when that resolution reached a vote in the Senate, I had no difficulty at all in reconciling my duty with a vote in the affirmative and of approval.

When he made his great speech here early in this session, I think one of the grandest utterances that ever fell from the lips of an American, if we except that wonderful oration of Lincoln's at Gettysburg, I was one of the first to congratulate him. When he severed diplomatic relations with Germany, that was a matter which rested entirely with the President. It was not the function of Congress to approve or condemn. I felt then that it was a mistake to bring the matter into the Senate; but it having been brought here, without any hesitation on my part, I supported the resolution of approval; and to-day, Mr. President, I know of no man in this country who in the light of his manifest purpose to keep this country out of war, in the light of the experience which these four years have given to him, I would intrust whatever should be intrusted to another, there is no one whom I would sooner intrust than the present incumbent of the White House.

But, Mr. President, that is the trouble. We are constantly passing laws with reference of our understanding of the man who for the time being is to be called upon to execute the laws. As I said a few moments ago, it is my firm hope that President Wilson may serve his term and that long years more may be his, but the President of the United States, like every incumbent of a public office, has one limitation which is common to us all, and that is that limitation which finds its significance in the utterance, "and no man knoweth when that hour cometh."

We should frame laws not with reference to the President but laws relating to the presidential office should be framed with reference to a President.

There is no limitation of time in this law. This is a law if it passes the two Houses and is signed by the President. Laws should be framed not with reference to what we think of some particular man, but with reference to the possibility of what any man might do if placed in that position, clothed with that power and possessed of the ordinary attributes of human nature. So, I think we would understand the scope and effect of proposed laws far better if we would lose sight for the time being of the particular individual who is in office and frame our laws with reference to the possibility of some unknown man occupying that office before the law itself ceases its operation.

Mr. President, I regard this bill as one of extreme significance. It is a step along that pathway which has wrecked every great republic and which will wreck ours if time should finally write the history of our Republic as a past institution.

The founders of this Government, while they had little to guide them as to possibilities of the future, had one great experience, the experience of centuries, and that experience among other great nations has taught man that whatever there is wrong, whatever there is of evil, whatever there is to be guarded against, always seeks to minimize the human equation with which it has to deal. It had taught man that in all those ages that have gone, marked by sacrifice, one thing has kept eternal step with the others, and that is that human liberty had advanced as the human equation of power broadened.

So they established our form of government, with its executive, its legislative, and its judicial branches. I am no blind worshipper at the shrine of any human expression. Nothing to my mind is sacred simply because it is in the Constitution; but the principles in that great document are to be revered because they are in themselves sacred. The reiteration of a principle adds nothing to its force. The denial of a principle takes nothing from its force. But that principle—the broad equation essential to preservation of rank—is enunciated in the American Constitution and it is to be respected, because human experience has demonstrated its wisdom.

The natural thing for mankind seems to be that no matter how wise the equation, mankind seems to constantly revert to the one-man power in government. I presume this is due to the fact that in the mind of the voter casting his vote, beginning with the lowest office and reaching finally the Executive, he naturally regards that office highest in the scale as a beneficiary of his suffrage as his particular representative.

Then there is another reason. While the great mass of that portion of humanity which we call Christians worship an unseen God, yet somehow there seems to be a tendency on the part of man to desire something that he can see to reverence and revere.

So between these two twin forces in a Republic founded upon the broadest equation there is always the danger that it will gradually gravitate toward a recognition of the one-man power.

We have seen evidence of this in the past few years. We have seen the prerogatives of Congress constantly, I do not say invaded, but surrendered by Congress itself. Year by year we more and more surrender to the executive department of the Government those functions which the fathers, in my judgment, wisely placed in the hands of Congress.

There is a reason why certain powers should be in the hands of Congress. I do not care how perfect a man may be; I do not care how lofty his ideals and purposes, the evil forces in human nature are ever weaving around a man in office their network and their pitfalls, and unconsciously a great man may be surrounded and influenced by forces of which he little dreams. It is more difficult to influence a large body like Congress, because there is naturally always that diversity of opinion where a number are involved.

This bill does one of two things. We might stand here and spin theories about the constitutional law involved and the international law involved; it does one of two things: It either seeks to give the President a power which he does not have, or it does not enlarge his power. We can not quote the President on the bill itself. The President asks the power which he said he already had. But this bill was not before him and I do not know that it has ever come to his personal consideration. All I do know is that he stated that that for which he asks he undoubtedly possessed the power to do now. If it is a mere repetition of the power which he has, I see no particular service which it renders. If it is an enlargement of power, then the question is whether Congress should abdicate this great function of declaring war or exercise that function itself.

Mr. President, I am not willing to confer that power upon any man, no matter how highly I esteem him, no matter how great regard I have for his purpose or his ability.

I am going now to trace somewhat briefly the genesis of this matter, and I shall do it now, as I have always done it before, with ungloved hands.

For several years every time the naval bill came up we had a war scare. Poor Japan was used for that purpose until Japan as a background of the war scare got sort of threadbare and weather beaten. About that time the war broke out in Europe, and then we had a new phantom. We suddenly had developed in this country a cry for preparedness. I propose to show that notwithstanding the half billion of dollars that we voted under the alleged plea of preparedness we have not secured any great amount of preparedness. But where did this cry originate? It always seemed to me that the time when Europe was rapidly becoming one great graveyard, when millions of her men were in their graves and millions more on crutches, when the credit of those great nations was sinking day by day, that of all times in the history of this Republic this was the time when we might abate somewhat our great expenditure for war. When the European war broke out we were expending, as I remember, 70 cents of every dollar of the revenue of the Republic for wars, past and prospective.

But it did not take long to discover the source of this cry for preparedness. We soon began to have defense leagues organized, national defense leagues and some others the names of which I do not now recall. But it was a singular fact that there was a very close relation between certain great interests in the East and the personal make-up of those leagues. It did not take long to see through them. I personally know of men being sent throughout the country organizing defense leagues who could not have done so had they not been paid by somebody. Later one of them called on me in my office. In a spirit of sarcasm I said to him, "It is a great thing for this country that we have men like you, possessed of large wealth and willing to devote their time and great wealth to the general welfare." He smiled; he recognized the sarcasm, of course.

This condition went on until there grew up in Europe a demand for munitions of war, and at the same time there was growing a sentiment in this country in favor of taking the profit out of war by building our own armor-plate plant. In spite of all the efforts of the "invisible government" that spirit grew until finally the bill passed through the Senate Committee on Naval Affairs, when, as I recall, we were met with the threat that if we dared to build our own armor-plate factory the armor-plate manufacturers in the interim would penalize the Government by the charge they would make for armor plate for use upon our battleships.

Mr. President, there may be those who fear that out of the graves of Europe may come forth the dead, who in martial

array may invade this Republic; but I fear more a condition when a concern in our own midst has grown so great and so bold that cunning is no longer a part in its methods, and when it threatens to penalize this great Government if we dare to build our own armor-plate factory. The threat fell, thank Heaven, upon deaf ears; but, while that threat did not frighten the committee or Congress, it seems still to have worked its purpose some way. At the close of the last session of Congress we had five heavily armored battleships, of which, if I recall correctly, three had been partially built. We added eight more to that list, and at this session of Congress we have added three more, putting upon the American taxpayers the cost of all these heavily armored dreadnaughts, when there is not a man within the range of my voice but knows that not one of them could be built to meet any possible contingency that confronts us to-day. Not only that, but they were ordered built when the experience of the war in Europe had shown that it is not the great, heavy dreadnaught that a nation needs. There never were two schoolboys who had a scrap in the back yard of the school but knew that the boy who could reach quickest and farthest would win over his adversary.

Experience had taught us that the swift-sailing cruiser, with guns that threw shells farther than the adversary, was the winner and victor upon the water; and yet we have kept on providing for the construction of these great, heavily armored dreadnaughts. Not only that, Mr. President; it has been done at a time when a German submarine—not a war submarine, but a German merchant submarine—defied the greatest navy on earth by crossing and recrossing the Atlantic Ocean.

No; the threat of the armor-plate companies that they would penalize this Government did not frighten Congress; but somehow or other it seems, notwithstanding that, the American people to-day are bearing this heavy burden. That is the reason why I voted against the naval bill in the last session and why I should also have voted against the recent one had there been a roll call.

Following up the talk of preparedness and this war scare came this German submarine situation. To-day in this country there is a strong demand that before Congress declares war we submit the question to the American people. I confess there would be some difficulty in taking a referendum vote of the American people upon that question; but instead of listening to the appeal of the American people for a referendum Congress now proposes to go the other way and to abdicate its own function of declaring war.

Mr. President, war broke out and Great Britain promptly blockaded the German ports and filled the North Sea with its mines and torpedoes. Strangely enough, no great complaint was made of that, and as our people kept out of that zone none of them, as I now recall, were killed by those means, although I think the Senator from Iowa [Mr. CUMMINS] this afternoon stated that some had lost their lives. When, however, Germany proceeded with her submarine warfare there arose a complaint. I am inclined to think—and Heaven knows if I had it in my power I would banish the last submarine and make it impossible to ever construct another, as I would also every other weapon of war—but I am inclined to think that we have got to recognize one of two things: Either that the submarine is going to be used as an instrumentality of war and, if used, its peculiar condition has got to be recognized, or we have got to banish it.

The Senator from North Dakota [Mr. McCUMBER] night before last introduced an amendment in which he proposed to tolerate the submarine, but to provide that the submarine should follow the old-fashioned custom of the man-of-war. The man-of-war could throw a shot across the bows of a ship, which was a warning to that ship that she must then heave to and submit to seizure and search, or suffer the consequences. A submarine, from the very nature of things, can not, of course, throw a shot across the bows of another ship; it can not carry a crew that can board a ship; it can not take care of the crew of a ship; it can not take care of the cargo of a captured ship. There is only one thing that the submarine can do, and that is, through the Government which owns it, to give out a public notice where it proposes to go and where it is proposed to be used.

Now we are building submarines, and I want to say here tonight that the time may come, if we go on building them, when we shall have to insist that the notice given in the case of a submarine is a public notice, a public warning. The world has either got to recognize such a rule or has got to abandon the use of the submarine, for it is idle to talk about a submarine seizing an armed ship when a ball the size of a man's fist will put it out of commission. It is useless to talk of a submarine seizing an armed ship and then searching a ship, taking that care of its passengers and crew which under the old rule the blockade ship had to do if it sought to interfere with the passage of a

blockade runner. I hope that, by keeping out of this war ourselves, by extending peace rather than war, the time may not be far distant when the world will recognize that the submarine has got to be discontinued. If it is not, then, whatever may be our ethical view of this question, if the submarine is to become the great factor in the wars of the future, Sherman's expression that "War is hell" will faintly convey the thought of war when the submarine becomes on both sides a controlling force and factor in the conduct of war.

I do not believe that the conditions as they exist to-day warrant me in voting war or in voting for a measure which, in my own judgment and in the judgment of some of the most eminent friends of the measure, is bound to result in war. As I could not vote for war to-day, so I can not abdicate my function as a Senator and delegate to another the power to declare war.

There is one condition in this country that I very much deprecate. I can understand, of course, how a man who was born in France or whose immediate ancestors came from France, or from Germany, or from England, should in this great struggle sympathize with the land of his nativity or the nativity of his more direct ancestors, but why those of us in this country who can trace our ancestry back to this soil for two to three centuries should become so partisan in the struggle between the allied and the central powers is beyond my understanding. It can probably only be traced primarily to one cause, and that is this eternal greed for gain which has been the curse of mankind, is its curse to-day, and will be its curse until in the wisdom and providence of Heaven some relief may be found for it.

There came no great outcry from certain quarters until the submarine blockade interfered with trade. Then from this source we began to hear the more and more insistent cry about protecting American trade.

Mr. President, so far as trade is concerned, there can be no difference between blockades, except that one party to that great struggle in Europe is more of a customer for American munitions than the other, except for the fact that one party in that great struggle affords a greater market and is a greater consumer of American material other than munitions than the other. We are confronted to-day by that spirit in this country that would make war for gain. It is here and we can not disguise it. Thank God it is confined to a small portion of the American people, but, unfortunately, there are a great many people in our country who on account of the tradition of war being associated with the processes of human liberty and the establishment of free governments, associate war and patriotism as synonymous terms, forgetting that every page of the world's history teaches the eternal truth that patriotism is required more in time of peace than in time of war. War is the supreme test of patriotism, but war can not make patriots out of men from whose natures every spark of patriotism has gone. The story of those nations that have come and gone is the story of the decadence of patriotism in time of peace. The story of those nations that have been born as republics and have drifted into imperial powers is the story of people that have permitted power to grow up as a matter of greed and power under the guise of a republic. The story of the rise and fall of these nations points with unerring finger to one eternal fact, and that is that nations decay in time of peace. Nations may seem to be born of battle and to die of battle, but nations are born of that vigorous citizenship that stands sponsor at the birth of a nation. Nations have perished because citizenship has become so enervated and so corrupted that it could not even shed a tear at the death of the nation that had been its home.

No! We are too much given to think that the only test of patriotism is a willingness to talk war or make war; but the real test, after all, is in the walks of private life and in the years of peace that come to a nation. That is when a nation needs patriotism. But this thought that patriotism and war are synonymous creates a condition that this invisible and sinister spirit of greed seizes upon; and to-day we find in our country thousands of people, honest, of lofty purpose and altruistic motives, but who, having been brought into this atmosphere of war, somehow believe that the cry of greed for war must find a lodgment in the heart and spirit of the patriot. We find that condition to-day; and, Senators, that is the condition that we have got to face and have got to confront.

Thank Heaven, aside from these two forces the great rank and file of the American people are opposed to war. They were opposed to war with England because England blockaded German ports. They are opposed to war with Germany because Germany blockaded English ports. Why should we go to war or talk of going to war? It is a singular fact that we are the only people to-day who are talking about war with the United States. No other nation wants to engage in war with us. Then why this constant talk of war with someone else?

But it is said that our honor is at stake. It is true that we have lost many lives by this policy; and yet, after all, war means the slaughter of many. One of the Senators favoring this bill declared that our policy with Mexico was the most shameful in our Nation's history. I agree with him; but not as to the Mexican War he refers to. I believe that while it is true that we sent troops to Mexico, and while it is true that some men were killed there, among those things that Woodrow Wilson can look back to as he reaches that age when a man reflects upon the past, none will stand out brighter than the fact that he had so little slaughter, so little bloodshed, so little murder, in the Mexican policy as there was. There will only be one brighter star, and that will be the fact that so far—and Heaven grant for the balance of the time—he has succeeded in averting war with any nation in Europe, and succeeded in keeping us, so far as it is in the power of a President or one man to do so, out of that awful vortex of war.

Is there a Senator who will say here that England has become cowardly? Is there a Senator who will say here that England is not sensitive of her honor? But what has England done? On the 22d of last month, on page 3898 of the CONGRESSIONAL RECORD, I put two articles in the RECORD. From one of these articles it appears that Australia, one of the great colonial possessions of England, has by law forbidden the embarkation of any woman or child to an English port. From the other it appears that the Indian Government has passed the same law, except that its law provides that they may embark if a case of extreme urgency presents itself. Canada has done the same thing.

On the 23d of February the following item of news came from Halifax. I think I cut this from the Washington Post. The other two articles were taken from the Washington Star. The Halifax article reads as follows:

HALIFAX, NOVA SCOTIA, February 23.

A number of women and children who arrived here on a steamship from the United States for Europe were taken off to-day by the Government authorities under a regulation which provides that women and children may not sail from a British port for England at present.

Three American women aboard the liner, which arrived in port last night, were permitted to continue the voyage. Clearance papers were refused the ship until 25 Canadian women and children had been removed. They were taken ashore in tugs.

Which would be the wiser and the more humane thing for England—to defy, with her mighty navy, this submarine blockade, or to require that women and children shall no longer enter the danger zone? Can we not gain something from the wisdom of England? Would we lose anything in national honor by adopting the policy that that great power adopted? I repeat again, knowing that it can pass without a challenge accepted, that no man in this Chamber would accuse England of cowardice in protecting her honor as a nation, yet on that very ship from which England removed her women and children there sailed into that danger zone three American women, and still we say that we must maintain our honor! Theoretically a person has a right to travel. But should the peace of a great country be jeopardized by individuals risking their lives, where there is no occasion for it, accentuated with the harm it may bring to others?

Mr. President, it would not cost me an effort to vote the last dollar of our resources if it was required to defend America in a matter of real honor that really affected her, but the defense of a nation is one thing and the needless plunging of a nation into war is another proposition. I would not want my own son sacrificed in a war into which we needlessly plunged; and more than that, I would feel for the mothers of this land and for the sons of this land.

It may be said that there has been every now and then in this debate, sometimes, a spirit almost bordering on levity, but we stand to-day face to face with the question. Before the Civil War we did have a war with Mexico, and it is one of the blackest pages of American history. On the other hand, the effort of Woodrow Wilson, mistakes though he may have made, resulting in as little loss as it has resulted in in Mexico, stands out as a bright and luminous page by the side of that outrage when this Nation invaded Mexico in the old Mexican War.

War may be honorable, and war may not be honorable. War may be waged for a real purpose; it may not be waged for a real purpose. I, for one, would not at this time even seriously consider the question of going to war with Germany for any existing condition or any past facts involved in that condition, and would not delegate to another the act of declaring war.

Senators, you have been told by one of the great leaders in favor of this bill that the acts contemplated by this bill mean war. Mr. President, I hope for the opportunity to vote to try and amend the Senate bill by the amendments offered to it by the Senator from Iowa [Mr. CUMMINS] and the Senator from

Missouri [Mr. Stone]. By prohibiting the carrying of munitions in the ships proposed to be armed they at least rob the bill of much of that element that in the first place would constitute war, and in the second place would most likely lead to war. I ask now what has become of the effort to prevent the shipment of munitions led by the Senator from Nebraska, the Senator now in charge of this bill? I was thrilled, sir, as others were thrilled in this Chamber, when he stood on the floor two years ago and pleaded for human rights in a plea to prevent the shipment of arms and munitions of war to a country engaged in war. It was a great effort. It was a patriotic effort. It was an effort that found a response in the heart and the breast of every lover of humanity in this land. The man who sells to another an instrument of death, knowing that he is going to commit murder with that instrument, can not escape his share of the responsibility; and that great truth was put forth so eloquently by the Senator from Nebraska then. To-night he was offered an opportunity—aye, before the Senate bill came out here the opportunity was given—to take the language of the Senator from Missouri and eliminate the carrying of munitions and arms. That is accomplished by his amendment. It is also accomplished by the amendment of the Senator from Iowa.

If you are going to pass this law, whether you think the President needs a power that he already has, or whether you want to abdicate the great function of declaring war conferred upon the Congress by the fathers of the Republic and turn it over to the President, at least minimize the danger of this transaction by prohibiting the shipment of arms and munitions on the ships which it is proposed we are to protect; at least withdraw from the protection of this bill ships that are conveying arms and munitions to the seat of war. They invite attack; they contribute to murder over there; and the time will come—as it comes to a man, so it comes to a nation—when, standing at the bar of a tribunal of absolute justice, the American Republic will pay a penalty for that crime as we paid a penalty for the awful crime of slavery. Attribute it to the purpose of the Divine Power, or attribute it to an eternal law of retribution, I care not which; men can not escape penalties, neither can nations.

I appealed to the Senator when this matter was before his committee, when as I understand the great Senator from Missouri urged this course; if there is now an opportunity to embrace this in the bill, why should it not be included in the bill? If we must pass this law, if we must give these ships this protection, if we take them out of the category of the pirate and lift them to the protection of a ship that in a measure is commissioned by a government because the Government furnishes arms for the ship—if we are going to throw that protection about the ship, let us at the same time impose upon that ship the condition that it shall not invite destruction and death by carrying arms and munitions, that we shall not contribute to the murder upon the battle fields of Europe by the furnishing of arms and munitions, at least through ships under guaranteed protection.

Mr. President, it is a sad thought, it is a sad spectacle, that this great Nation of ours, with its splendid history in the past, is so thoroughly to-day in the hands of commercialism that we propose to lend ourselves to a war for commercialism, born of commercialism, feeding upon commercialism, and fattening the commercialism of our own land. No, Mr. President. I have no apology to offer for insisting that it might be my privilege, in this closing hour of my service in the Senate, to give some of the reasons why I can not vote for the bill as reported by the Senate committee.

Mr. LANE. Mr. President, I wish to state my position upon this bill. It is all very simple, or at least it seems so to me, and it seems to me also that it is my duty to do so.

I have made no speeches on the bill. I will not occupy much of your time. I have been willing, at any and all times, if the bill could be amended in a simple way, which I have thought would be better and keep us out of war, to vote for it. I did not, however, want to vote for it until I heard a full discussion of the subject, a pretty general discussion of it—I do not mean to say an exhaustive one, but a clean and logical expression of views from both sides of the Chamber.

I regret to say that I have noted, upon the part of the committee, a disposition to be suspicious, impatient, and distrustful of any interference or suggestions coming from anyone with their plans, which are apparently fixed, unalterable, and not to be questioned. That attitude, I confess, does not appeal to me. When a man or a committee or anyone else comes to me in that spirit and tells me that I have "got to do this," or that I have "got to do that," I find it to be irritating.

There was circulated to-night a so-called "round robin" among the Senators, which has caused a good deal of bitterness. And it has left a bad taste in the mouths of some of

those who signed it, as well as those who did not sign it. I have not read that document, and merely got a glance at it after it had been brought in here and waved around before this body. A folded document was brought to me and I was asked if I had seen it, and I said I had not, and I was asked if I would sign it. I said I would not sign anything binding myself to anything concerning this bill until after a full discussion of it and the House bill. That was my right. There was nothing wrong about it.

I would not have done my duty either by myself or the people whom I represent if I had not reserved that right. I have learned several things in this body along that same line, and have found that it is well to scan carefully such agreements, and also that it is well to be careful how you agree to vote on unanimous-consent agreements which are so smilingly presented to one, where you afterwards find yourself gripped in a vise, in a very tight vise, with no smiles attached to it, but a pinching down relentlessly of its jaws.

That was one reason why I did not pay any attention to this document and even refused to read it. I had an idea that it would work perhaps that way, and it struck me, too, that it might be used, or would be used, to coerce.

In respect to our right to interfere, to intervene, by way of granting rights to arm vessels engaged in carrying munitions of war to one of the warring nations in order that it may kill more of the people of another nation, it does not and never has, and I fear never will, appeal to me as being a wholesome or reputable task to be engaged in. And it has seemed to me that we had better be doing something more useful for our own people. Some day we may have to meet as nations, as we meet our neighbors as individuals, and if we can meet them in a manner in which we can look them in the eye without blushing or without having to carry a gun in our hip pocket.

I am not reflecting on the President in this. I am taking the measure as I analyzed it for myself. If there is any man on earth whom I would trust with this, I would as lief select the President as anyone; but to be quarreling for the right to arm ships fore and aft with 6-pounders or 8-pounders, or whatever they decide to use, in order that they may be prepared to fight off attacks from one nation which is trying to protect its own national existence, to put such vessels under our protection, with our guns aboard, with men from our Navy to handle those guns, and loaded with ammunition, powder, shells, and everything for destructive purposes—designed to do harm to a friendly nation—did not appeal to me either. It does not appeal to me yet. There are so many other things that we could do and be doing now, and which are overdue, and which it is our duty to do, and which we have neglected, which would bring happiness and prosperity to this country and no hard feelings reaching to us from any corner of the globe, that it seems to me to be our first duty.

A short time ago—you have all read it—there were food riots in the large cities in the East—and, by the way, there will be more of them. Potatoes were selling at 8 and 10 cents a pound retail; sugar at 10 and 12 cents a pound retail; meat was selling at 35 and 40 cents, except for the very cheapest cuts; flour up to \$8 and \$10 a barrel; and bread at a price where the poor people of this country are unable to get enough of it to eat, where the women, with children in their arms, were pleading and are now pleading for enough bread to eat. "If you please, just enough bread to eat," and some of them begging for the crusts off of your table—old, old bread that you can not eat, no matter how old it is, they ask for it; stale bread, three or four or five days old, a week or a month old; and they are willing to dig the mold out from between the cracks where the loaf has shrunk.

Our own people, our own citizens, to whom we owe the duty of seeing that they do not starve—at least that they do not starve when the country has more money than any other nation has ever possessed in the history of the world, gained in large part by visiting death and suffering and misery on other people.

For that reason I have no great enthusiasm for this bill. It is a large grant of power, also, to place in the hands of an executive official, one of the best we have ever had, a man whom I like personally, whom I would love to please wherever I could if I thought I could do so consistent with my duties to others, not Presidents or other high officials, but thousands and hundreds of thousands who have never been Presidents nor Senators, nor received a salary large enough to keep them from crowding the edge of hunger and starvation all their lives. There lay my larger duty, as I understood it, and there is where I would like to help you make some appropriation of money for their relief.

There is one amendment I would like to put on this bill, say, an appropriation of another hundred million to buy food for suffering American citizens. I am not opposed to this bill if it is necessary, and if you will accept a part of the Stone amendment, or one upon the House bill, which would provide that it shall be used in a manner in which we are lawfully and justly entitled to use it, and not merely to purchase and place guns aboard ships which will load themselves down with ammunition and then go across the route which they know is infested with torpedoes or mines, spending money to hunt periscopes, on a submarine hunt, trying to get by them with munitions of war to be used in the sacrifice of lives of people who are as yet our friends—as yet our friends, as yet our neighbors. It looks like the measure might in the hands of a malicious person be turned into such a use—these vessels with the guns aboard them—that it would drive us into war, and that an able, evil-minded captain or commander of a vessel could bring on a war and make millions of dollars by doing so, and bring other millions of dollars into the hands of munition makers and others, people for whom I do not care to legislate.

I do not care to fight or legislate or appropriate money, the money of the people of this country, for a certain gentleman who has made millions and millions and hundreds of millions of dollars out of the misery and the death and the destruction of unfortunate people across the seas, who are dying and going hungry by the thousands. I have not much respect for a man who makes large sums of money by any such traffic. I will not fight for him if I can help it; I will not convoy him or furnish him guns. He can buy his own guns and go, yes, quite freely. I will not interfere with him, but I will not accompany him.

If we have citizens who want to go around over the world during war times selling munitions, I do not wish to take care of them. I would vote to put up a lot of big signs warning them to stay at home and put their energies to work to help feed our own people who need it.

Suppose some of these craft armed fore and aft with guns do go out to sea and shoot the periscope off a German submarine; that is an act of war, and we will have war.

These nations are ruining one another, and there is no reason why we should get into it too. I have thought of that in the consideration of this bill. I do hope that our good old friend here from Missouri, the senior Senator from Missouri [Mr. STONE] might have his amendment modified and adopted. It would please the people better. I do not see much use for any of it at this time, unless there is something going on beneath the surface which is not presented to us for our consideration. I am no mind reader and I can only pay attention and give credence to that which I see before me.

There is another little matter in this bill which appeals to me, or rather which attracted my attention, and that was this: I am not an attorney, but all the lawyers here have conceded that in the past and up until this time no one had a right to declare a war on any other nation except the Congress, the representatives of the people—not the executive department nor the Department of Justice. The actual power lies close to the people who have to do the fighting, the people are now going hungry, if you please, and it looks to me as though Congress would be abdicating its constitutional rights, as though the Congress was divesting itself of the constitutional right and placing the power in the hands of the Executive. That thought presented itself to me. It seemed to me that I had no right, as one of the Senators here, to give away the rights of the people whom I represent, or those of any of the people of the United States.

It seems to me we are hunting to make enemies. It seems to me that in this bill we go out of our way; we act as if we were placing a chip upon our shoulder. I do not say this in bitterness, and I do not say it in any harsh criticism. I do not feel that way about it, but that is the way it suggests itself to me as I read the bill and as I look about as a citizen of this country and view other nations. I tried to realize to myself what I would like to have done to me under similar circumstances. "Do unto others as you would have them do unto you." I am no man of peace. I would fight to the last ditch or the last trench, and I expect I would use submarines, if I could get them, against anybody or any nation that attempted to invade this country; but it seems to me to be unwise that we should go out of our way, and such a long distance out of our way, to get into trouble, acquire a greater indebtedness, and incur enormous expenditure at a time when there are so many of our own citizens in distress.

Mr. HITCHCOCK. Mr. President, does the Senator think we have any neutral rights?

Mr. LANE. We have just as many neutral rights as any other nation, and no more.

Mr. HITCHCOCK. Does the Senator think that they are now being trampled upon?

Mr. LANE. It seems to me we have taken every chance of putting our toes under the heels of nations with whom we are supposed to be friendly.

I will give an illustration—

Mr. HITCHCOCK. I am only asking the Senator a question. If he thinks we have neutral rights and they are being trampled on, does he not think we ought to defend them?

Mr. LANE. I do not think our citizens have any neutral rights to load ships with ammunition with which to kill the citizens of a country we are at peace with and then go inside of the war zone which they marked out around the nations with whom they are fighting in a death grapple. I think that man has no neutral rights that should cause us much concern. He is a big fool.

Mr. HITCHCOCK. Does the Senator know that it is not the practice of American vessels to carry munitions of war?

Mr. LANE. We have not any vessels; that is one reason.

Mr. HITCHCOCK. Yes, we have.

Mr. LANE. How many? Three?

Mr. HITCHCOCK. We have quite a fleet of them, but they do not carry munitions of war.

Mr. LANE. Have we lost any of them?

Mr. HITCHCOCK. They are in our ports, afraid to go out. They can not go to German ports or neutral ports, because England prohibits it, and they can not go to English ports, because Germany prohibits that.

Mr. LANE. One would blow them up with mines and the other torpedo them.

Mr. HITCHCOCK. Does not the Senator think we ought to insist on having our commerce protected?

Mr. LANE. Under those circumstances I think it would be a matter of plain common sense and we would preserve our neutrality with all nations better by letting them fight it out in their nice little selected zones or prize ring, or whatever they wish to call it, and we could be the referee or help sponge them off when they get their noses bloody and help in little kindly platonic matters like that. It does not appeal to me that it is good sense for us to keep intruding ourselves, if you please, inside of the barbed wire or zones which some of the belligerents have filled with mines and with chains to catch torpedo boats, and the other contending nation has the seas swarming with these little stingarees. It is a matter simply of common sense to keep out of there and not to go hunting their periscopes and get shot at, for if they accidentally mistake you for an enemy, which mistake may happen any day, it would plunge this country into war. So I do not see why we should undertake to go so far to get into trouble. It is like buying a lawsuit and paying a bonus for it. That is the way it seems to me as a Senator, and that is one of the reasons why, with all due respect to Senators and to the President whom I admire, that I do not feel that I could support the bill in its present form and did not evince that interest in it that I otherwise might have done; but I wish it could be drawn, and I will help in that direction, or so modified that we could not get into that position unless other nations seek our destruction. If they should, then I will vote for bills to help clean them off the ocean. But I have not come to the conclusion that they are a people that ought to be exterminated. There are very few people in the world, when you become acquainted with them, if you do get acquainted with them and associate with them, that you would want to kill. You would not want to kill a Chinaman, for instance. They are a poor unfortunate people who are run down by everybody, but when you deal with a Chinaman—and there are many of them in the section of country where I live—you get so after a while that you like him, and when it comes to a friend, he is the most faithful friend of any man I know. If he is your friend he is your friend to death, but if you try to trick him, if you play false with him, or try to get the better of him, then you want to beware, for he has the keen Asiatic brain, and he will protect himself; but treat him fairly and honestly and he is to be trusted. So also the Eskimo. They are the kindest people in the world, although they are not pretty; and so with the wild Indian who goes around with nothing on but a breech clout and leggings, but he will make camp with you and stay with you, undergoing the most severe hardships. I have never known any people yet after I became acquainted with them that did not possess fine points, and certainly they have a right to live. I have no blood-thirsty disposition toward any of them.

As I said, you need have no fear but that I will support you to any extent in the defense of this country against all comers, but I would first put this country in a state of defense, and I would save the money that is uselessly expended, and use it

to feed our own people and to manufacture supplies at a reasonable cost, at a fair price, and put this country in a position so that no nation would dare think of coming over here or would think a long time before they would try it. Then, after feeding our people and putting them in condition, they could fight if they had to, and not have to fight cold and hungry, we would be much better off.

These are some of the reasons why I did not read or sign that round robin, these other matters being of larger consideration to me, and I did not like to be tied down to something which might leave me without any opportunity to express dissent and with provision which I might think would be against our own interests. I think it is our duty to look over the whole situation calmly. If munitions are taken abroad, let them be taken at the owner's risk. That would be a different matter with me. When our boats carry munitions, that is still another question, and it will involve much trouble if pursued. Under the terms of this bill, when I read it, I feared that probably war would be on us within 30 days, and I would not be at all surprised now if 30 days should bring a great calamity to this country.

Who would profit by it? Would the poor people of this country, who are short on food, short to an extent that is beginning to affect their nourishment? Would they get more to eat or be happier? No; they would get no benefit and their families would lose.

Perhaps the corporation which made last year \$322,000,000 over and above all costs of marketing, sinking fund, and depreciation might profit. Of course, it would not affect their health, nor would they have to march shoeless. They probably would not march at all, but would be kept busy attending to social functions and giving dinners to others. The other men, like those around town here, would feel the pinch. There are 90,000,000 or 95,000,000 of that kind. The mass of the people of the country would do the fighting and the suffering, and they are the backbone of the country, and upon their back rests the Nation's existence; that back may not be washed as often as it might be with fine-scented soap, but your wife's life and the lives of your family and your property and your prosperity and our future rests on that back; and we want to pat and treat it well, treat it kindly, give it enough nourishment to enable it to fight for us. When we have more of that kind of men than we need, and they are prosperous, then let us get out and have war, universal war, and whip the world. There are enough men in the country to do it, but we will have to lay in additional food supplies first, and we had best keep our munitions at home, for I think we are going to need them badly soon, and are going to need more than we have.

That was the reason I did not want to vote for the bill unamended. I have not refused to vote, nor have I at any time attempted to delay a vote on this bill. I have indulged in no filibustering, and I have no objection to anybody doing what they please about it, and if it suits them it will suit me, but I ask in return the same privilege from them, and I am going to take it whether it is granted to me or not, for I have the right to demand the same privilege.

Mr. NORRIS. Mr. President.

The VICE PRESIDENT. The Senator from Nebraska.

Mr. NORRIS. I request that during my remarks I be not interrupted. Contrary to my usual custom, I intend to decline interruptions, as I do not want to take unnecessary time in the discussion of the bill.

Mr. President, while I am most bitterly opposed to this bill in the form in which it is before the Senate, and I should be deeply grieved and very fearful of results if it should be passed, yet if it is passed at this session or at a special session, which everybody knows must soon be called, and if under this bill the President, exercising the authority that is given to him, shall take the steps in accordance with the law that is laid down in the act and our Nation becomes involved in difficulty or war on account of it, even though I believed or might believe that the steps he took were wrong, I would be found, both as a citizen and as a member of this legislative body, backing him up to the very limit of my ability. If this bill should be passed and war should result, as I fear it would, even though I would bitterly regret the fact that the bill had passed, there would be no man who favors the legislation who would go any further than I would go, both as a citizen and as an official, in doing my utmost to bring to a successful issue such a war.

I regret that there has been some feeling displayed. I am sure that, so far as I know, the Members of this body who have taken positions have been conscientious in doing so. There are Senators who favor this legislation for the reason that, in their judgment, it will have a tendency to get us into the war. There are many honest people all over the country who believe that we

should take part in this war, and, of course, such people, whether they are Members of Congress or private citizens, desire this bill passed without amendment. Before I finish I shall analyze to the best of my ability this bill, and it seems to me that I can demonstrate to the satisfaction of any fair-minded person that there is great danger, if we pass this bill, that the very passage of it will be considered an unfriendly act, and that if the President undertakes to carry it out it will be regarded at once as an act of war.

There has been considerable said about a paper that was circulated for signatures among the Senators in which it was stated, in substance, that on account of its being impossible to bring this discussion to a close during the few hours that remain before noon on the 4th of March it would be impossible to pass the bill, and making the further statement that those who signed were anxious to vote for the bill, and believed in its passage. Some Senators have been offended at that.

Mr. President, to my mind the circulation of that paper, the signing of it, and the printing of it in the RECORD is not ground for offense. I certainly want those who have done it to know that I do not feel offended. I do not think it improper, although some of the remarks made at the time it was placed in the RECORD I believe in time will be considered by the men who made them as out of place, coming about, no doubt, on account of overzealousness of the Senators who made them.

Mr. President, it has been asserted for some time that there was a filibuster carried on by those who were opposed to the bill. That has been the charge for the last two or three weeks in this session. It has been made every time there has been any criticism or discussion of any appropriation bill. We find ourselves near the close of the session with an attempt to finish the business before the session closes, and more business than could possibly be transacted if we worked 24 hours in a day, 7 days in a week, in three times the time we have left. Here was the Navy appropriation bill. It appropriated more millions of dollars than had ever been carried in a Navy bill in the history of this country, either in time of war or in time of peace. The most stupendous Navy appropriation bill that was ever presented to Congress in the history of the United States was brought in here, and every time a question was asked there was an intimation from some of those behind the bill that the motive was not right and that, as a matter of fact, there was an attempt to delay.

Here is the sundry civil appropriation bill on the calendar—it is impossible to pass it—appropriating money for all the departments of the Government in all parts of the United States. Here is the great Army appropriation bill, the largest Army appropriation bill that was ever presented to Congress. We are unable to pass it. All these appropriation bills, together with this bill and the so-called espionage bill, were hurled upon Congress during the last few days of the session; and when anybody objected, when anybody thought it was his duty to find out what was being done with the taxpayers' money, or what kind of statutes we were placing upon the books, the cry always came, "You are filibustering."

Mr. President, there was no necessity for all this conglomeration of business to be hurled in the face of the Senate in the last few days of a session that is limited by the Constitution of the United States. We took a recess during the holidays when we should have been here at work. We dillydallied along at various times through the session, and sometimes it seemed to me there was a deliberate attempt to delay, to get matters in such a condition that in the closing hours of Congress it could be said, "If you debate this bill, or inquire about this appropriation, we will charge you with being a filibusterer."

Mr. President, is it incumbent upon a Senator or a Member of the House to sit quietly, without opening his mouth or saying a word, while hundreds of millions of the people's money are voted away? Are we to be browbeaten into submission with the charge that we are filibustering if we dare to ask a question?

It has not been confined to appropriations, Mr. President. We passed the espionage bill, which was hurled right in upon us in the midst of all this work. The espionage bill might just as well have been presented to Congress on the first day of the session; but it was not introduced, it was not brought on the floor of the Senate until just about the close, with all these appropriation bills there. If the House of Representatives passes that espionage bill and it becomes a law, the people will wake up some day to find that thousands and thousands of things have become criminal that were not criminal before. They will wake up to find that they can not exercise the privileges and prerogatives of citizens of a free Republic on many occasions, if it is the desire of the Chief Executive that they should not. They will find the press muzzled—muzzled by the President under this law. They will find the liberties of the people curtailed.

You might walk down toward the navy yard in this city and meet a policeman. He will ask you where you are going. You will tell him, "To the navy yard." He will ask you why, and your answer may be that you want to find how long a 14-inch gun is; and he will say, "You are a private citizen. You are not entitled to that information. You are guilty of a crime if you approach the place with the intent of getting that information to which you are not entitled." All that would be true even in time of peace.

There are a thousand other things similar to that. There is no limit; and yet it was done with practically no consideration. Senators engaged in the other business of the Senate that we know was crowded upon them were unable even to read that bill; and you will remember that the committee was supported by nearly a unanimous party front in every vote. Why? The President wanted the bill. That was the cry, "The President wants this bill." It is a shocking increase of his power. I sincerely trust the House of Representatives will not pass it.

Mr. President, if it is filibustering to try to find out about something, to do the best you can—when it all comes at once, you can not do much—then I am guilty of filibustering. To the limit of my weak ability I have tried to uncover these things. I have tried to debate them and expose them where I thought they were wrong, and I know I have not even scratched the surface. But always it is said, "You are going to cause an extra session if you do it. You must swallow these bills whole. You must not cross a 't' or dot an 'i.'" It has been that way for several weeks now, since this wonderful embankment of legislation has been shoved down upon the Senate.

Mr. President, it is claimed in the case of this bill, just as in the others, that the men who are opposed to it are filibusters; and yet some careful student will some day look up the Record, and he will find that those who favored the bill have taken the most of the time in its discussion.

Mr. President, is that a crime? Must I, in order to maintain my patriotism, swallow this bill without amendment or be charged with being disloyal to my country? Is it for me to say, "The President wants this bill; therefore the Senate must pass it without any change?" and is it my duty to submit?

Why, Mr. President, while Senators have been talking about a filibuster, let me suggest that in all this long, weary night there has never been a point made of "no quorum." Do you not suppose that we knew enough to suggest that point a dozen times during the night?

Mr. HUGHES. Mr. President—

Mr. NORRIS. I do not yield, I will say to my friend. I prefer not to be interrupted.

Mr. HUGHES. Well, the Senator ought not to ask a question if he does not want to be interrupted.

The VICE PRESIDENT. Perhaps the Senator intends to answer it himself.

Mr. NORRIS. I did not know that I had asked the Senator a question. If I have, I think I will answer it.

I said that during all the night there has not been a roll call. Why, Mr. President, if there had been a filibuster on when these conference reports came in that have been taken up by unanimous consent and passed by unanimous consent, do you not suppose objections would have been made to them? Do you not suppose they would have been debated? Do you not suppose there would have been roll calls on each one of them?

Mr. President, it seems to me it comes with poor grace to say, "You are filibustering," when the very means used in a filibuster have never been resorted to. You have had at least a dozen unanimous-consent agreements to expedite business during the night. Right now, while I am talking, there are just five Senators on the Democratic side of the Chamber, and it is 5 minutes to 8 o'clock in the morning. I am not complaining that there are not more there; but it must be evident to you that if there were a filibuster over here the Sergeant at Arms would be scurrying around over the city, arresting Senators and bringing them in here, and we would not be talking; we would be resting.

Mr. President, has anybody discussed this bill who has not confined his remarks entirely to it? No one. Has anyone made a long speech? I do not know of any, unless you would call that made by the Senator from Missouri [Mr. STONE], who is chairman of the committee, a long speech; and he was justified, I think, in making the speech that he made. I do not believe anybody would criticize him for it.

But you say, "It will bring on an extra session." That is what you said about every appropriation bill; and when some of us insisted on debating some of them, opening up some of them, considering some of the items, it was found that the smallest consideration was going to make it impossible for us to pass the bills in time to avoid an extra session. I said in

the Senate just the other day, on an appropriation bill, that notwithstanding the fact that every time anybody objected to an item or asked a question about it he was charged with being a filibusterer, I was going to try to bring out the light on some of these items, even though it did bring about an extra session.

Mr. President, there is no excuse for all this business being piled up at the close of the session unless it was so arranged for a purpose, and I think it would be a good thing to force an extra session when such things are done with that motive, in order to prevent its being repeated at the next short session. If we should submit now and pass these appropriation bills, containing items running up into the hundreds of millions, by unanimous consent, without reading and without consideration, at the next short session we probably would not get an appropriation bill until the evening of the 3d of March, and we would have to pass all of those and any other bills that the President might want enacted. It might be well to know now that as far as I am personally concerned, to the limit of my ability, as long as I remain a Member of this body, I am going to insist upon the proper consideration of such items where they are of such a nature that they might just as well have been presented weeks before, even though it does bring about an extra session.

Since an extra session is necessary, and everybody concedes that it is absolutely necessary, and I do not believe anybody seriously questions but that under the condition of things it was a physical impossibility to pass these appropriation bills from the time they were put upon us, what is the great importance of hasty action on this legislation?

Mr. President, I do not believe it will be an unmixed evil for Congress to be called in extra session. Let me take the President's message. Let me read just a little from the President's last message, which he delivered to us in person, and on account of which, I presume, this bill is here.

I want to read the very first sentence of that message, delivered just the other day, February 26. The President in the first sentence said:

I have again asked the privilege of addressing you because we are moving through critical times, during which it seems to me to be my duty to keep in close touch with the Houses of Congress, so that neither counsel nor action shall run at cross purposes between us.

What does that look like? When I listened to the President and heard him begin in those words I supposed the finish of his sentence was going to be "I have, therefore, decided to call Congress in special session soon after the present Congress adjourns." But instead of that it seems the President does not want us to be in session. We learn it from the newspapers and get intimations of it from this discussion that he wants us to adjourn. In other words, he does not want a special session. It is an open secret that unless he finds it necessary to call a special session on account of this bill's failure, if it fails, he will not call a special session until the 15th of June, so that we can make appropriations before the 1st day of July. But, Mr. President, if that is what the President means, why did he say:

We are moving through critical times, during which it seems to me to be my duty to keep in close touch with the Houses of Congress.

If the President wants to keep in close touch with the Houses of Congress, then Congress must be in session, according to his own words delivered to us officially. Can we say that the President meant, "I want to be in close touch with you, and therefore I want you to separate and go to the four points of the earth"?

There is another sentence I want to read from that same message a little further on. On the next page he said:

It would be foolish to deny that the situation is fraught with the gravest possibilities and dangers. No thoughtful man can fail to see that the necessity for definite action may come at any time, if we are in fact, and not in word merely, to defend our elementary rights as a neutral nation. It would be most imprudent to be unprepared.

If he wants to keep in touch with us and the situation is fraught with great possibilities of danger, then why is not a special session in order? He says further:

I can not in such circumstances be unmindful of the fact that the expiration of the term of the present Congress is immediately at hand, by constitutional limitation; and that it would in all likelihood require an unusual length of time to assemble and organize the Congress which is to succeed it. I feel that I ought, in view of that fact, to obtain from you full and immediate assurance of the authority which I may need at any moment to exercise.

Why, Mr. President, I remember several years ago, when a special session was called, a proclamation was issued on the 5th day of March for Congress to assemble on March 15. I am not sure, but I think an examination of the precedents will disclose that even less time is actually essential. It is not a difficult matter to convene the Senate in special session to pass upon presidential appointments. Some appointments recently made have not been confirmed, and I assume they will be renewed, as a special session of the Senate has already been called by the President. With one branch of Congress already called to convene at the close of the present session, it would not be a difficult

matter to convene the other branch, and thereby have the entire Congress in Washington and ready for business. If we were to follow our personal convenience in the matter, I am sure we would prefer not to have Congress in session; but I believe it is the conscientious belief of nine-tenths of this body and of the House of Representatives that Congress ought to be in session during this critical period. Therefore, with an extra session of Congress easily obtainable, it will be no great calamity, in my judgment, if these numerous important bills, including the bill now under consideration, fail of passage at this session.

I want to say just a word about my position and what I would like to have. I am not one of those who believe in peace at any price. I am not and never have been strongly partisan. I do not believe in rigid partisanship in official life. I am not going to ask or care about the politics of the President in my official action in passing on matters of legislation he may desire or request in an official way. But why does it follow that when the President asks something it is my duty to blindly follow that request and comply with it whether I believe it is right or whether I do not? Does it follow that I show disrespect to the Chief Magistrate because I will not follow his dictation unless I think he is trying to lead me right?

Mr. President, this bill, in my judgment, is one of the most dangerous things that we have yet been called upon to enact into law, if we enact it in the form in which the President wants it. I will take the bill up in detail soon.

I want to say that although I would like to pass some legislation at this Congress, I am most bitterly opposed to passing this bill, because I think it is dangerous to our peace. I believe it means war. I would like to pass legislation that would give to the merchant ships of the United States the right to arm themselves, furnish their own guns and their own ammunition and their own gunners, to defend themselves against unlawful attack by submarines, I would vote for such a bill. I would be glad to vote for this bill if it were amended that way, and I would be willing to go further; I would vote for a provision that would permit the President to loan to owners of merchant ships the guns to go on the ships and to supply them with the ammunition, because it is claimed that the guns and ammunition can not be obtained anywhere else; and if that be true I would permit that to be done. I am willing that that should be in the law, but I would insist that all merchant vessels which were supplied with guns and ammunition by the Government of the United States should be prohibited from carrying munitions of war. If the bill were amended that way it would receive my vote.

I am in favor of the amendment offered by the Senator from Missouri [Mr. STONE]. I am in favor of the amendment offered by the Senator from Iowa [Mr. CUMMINS], which, if it were adopted, would carry out that idea. If either one of them were put in the bill, I should vote for the bill, but it is no secret here that no such amendments will be permitted because the President is opposed to them. I have no sympathy with the submarine warfare of Germany. I believe it is cruel; I believe it is illegal and wrong and inhuman. But, Mr. President, I am not ready to declare war. If Germany made these attacks upon us as a people or a Government, I would be willing to go to war for those attacks; but she has no intention or desire of injuring the Government of the United States or the people of the United States in making these attacks. I think she is wrong in claiming the right that she does; but, at least, I want to say in her behalf that it is not because of malice against the United States; it is not because she wants to injure us or get into trouble with us that she does it.

I think that both parties to this great war in Europe have violated international law. England has violated it over and over again, but she has never violated it to the extent that I would be willing to go to war on account of it. Up to the present time I would not vote for a proposition to declare war against Germany or England or any of the belligerent nations, and as long as I do not believe in declaring war I can not consistently or conscientiously vote for a bill that in my judgment, while it does not directly declare war, gives a power to the President, which, if he exercises it, will make war, and there is no escape from it.

The difference in the violation of international law—and I am not going to consider it at great length—between England and Germany is mostly in degree. England has violated the law and interfered with our shipping; she has not taken human life. Germany has violated it in the same way without regard to human life, and, of course, that makes a great difference. Under international law a ship carrying contraband going to a belligerent nation can be seized by a vessel of the other belligerent nation; her cargo can be destroyed, the ship taken as a prize and condemned, and under certain conditions sunk. But the vessel taking the ship has no right to do that

unless the passengers, the people on board, the human beings, are cared for in at least a reasonable way. They can not be turned adrift in small boats in midocean or on a stormy sea.

Under the law which now exists and is on the statute books of the United States an armed merchant vessel that would fire on another vessel sailing under the flag of a country with which we are at peace would be an act of piracy. That is, if a merchant vessel sailing under the flag of the United States should sink a submarine, although it might be admitted that the submarine was trying to sink her, the sailors and officers of the boat if captured and taken into the belligerent country owning the submarine could be punished for piracy. That law is wrong under present conditions. It never was intended to apply to such conditions. It ought to be repealed. I think in this bill we have before us we ought to repeal it in direct terms. The Senate bill, while not repealing it in so many words, does so by implication in the clause which gives to merchant vessels the right to arm and to defend themselves from unlawful attack. That ought to be their right, and I want to say to you, Mr. President, there is no man here who is more anxious to pass a law that will give that right to them than I am.

But let me take up now the Senate bill and see what is provided. I want to read it:

That the commanders and crews of all merchant vessels of the United States and bearing the registry of the United States are hereby authorized to arm and defend such vessels against unlawful attacks, and the President of the United States is hereby authorized and empowered to supply such vessels with defensive arms, and also with the necessary ammunition and means of making use of them; and that he be, and is hereby, authorized and empowered to employ such other instrumentalities and methods as may, in his judgment and discretion, seem necessary and adequate to protect such vessels and the citizens of the United States thereon in their lawful and peaceful pursuits on the high seas.

Then the remainder of the bill provides for the issuing of \$100,000,000 of bonds and turning them over to the President. That is something as to which we should inquire. Why should we issue these bonds and turn over that much money to the President?

Mr. President, in nearly every bill which we have passed there have been bonds—bonds in the naval bill; bonds in the emergency-revenue bill; bonds in the President's bill; bonds in the joint resolution which is still to be passed, as I understand. Bonds! Bonds! Bonds! Nothing but bonds. I have not yet been able to compute the aggregate amount of bonds, because I suppose if word came from the White House to-day to pass an authorization for another \$100,000,000 worth of bonds we should have to pass it without asking why, or we should be called filibusterers. Bonds! The President and other high officials of the Government seem to have some kind of disease that nothing but bonds will cure. We will find that bonds and certificates of indebtedness, authorizations for which have been asked—if all these bills authorizing bonds to be handled alone by the President or by his Secretary of the Treasury become laws—will amount to nearly a billion dollars; all this during the last few weeks of a short session of Congress. That is an astounding proposition; yet anybody who objects to it is characterized as a filibusterer and as one who may bring on an extra session. Provided for between the leaves of these appropriation bills have been such large amounts that they will almost stagger the imagination of the oldest legislator, who is somewhat used to it.

In referring to these provisions for expenditure I have spoken only of bonds and certificates of indebtedness which are under the control and are to be turned over to the President or to the Secretary of the Treasury. I have not mentioned all of the other bonds which have been issued. There are going to be enough bonds to go around; everybody will have some. I think I am doing a public service when I call attention to the fact that in this bill it is proposed to put through there is a provision for \$100,000,000 more bonds. This Congress, if all these bills get through and become laws, will have saddled upon the backs of unborn generations taxes that will keep them almost prostrate. We may not pay them; we may be thinking of war and forgetting the "jokers" in these bills, and we may "get away with the goods," but our children are going to suffer by reason of it and some day they are going to find out who it was that brought this huge extravagance and indebtedness upon them.

If I wanted to do so I could go through some of these bills by memory and show the enormous amount of bonds contained in them. There has never been in the history of the world such an instance of so much money turned over to the control of one man. There has never been in the history of the world so much power turned over to the President of the United States as there was in the espionage bill.

Mr. President, are we guilty of treason because we object to it; because nearly all of the Senators on the Democratic side and a large number over here—perhaps a majority over here—are in favor of it?

Are the few of us who can not bring ourselves to support that kind of a proposition traitors to our country or are we cowards?

Yet, Mr. President, I think that the bond part of this bill is its smallest evil, although that is great. Let me consider it now. It reads:

That the commanders and crews of all merchant vessels of the United States and bearing the registry of the United States are hereby authorized to arm and defend such vessels against unlawful attacks.

That far, I say "Amen." That far the bill I think is right and I would be glad to support it. I want to support that kind of a proposition. That is in effect a repeal of the ancient statute that I mentioned a while ago. Now, let me read on:

And the President of the United States is hereby authorized and empowered to supply such vessels with defensive arms and also with the necessary ammunition and means of making use of them.

"And means of making use of them" means we are going to supply gunners for the private ship. Do you think that an act of war if we do it? It is true the President does not have to do it, and you might say the present President will not do it, but that is no answer. I would not trust the present President of the United States with that power, nor would I trust any other President with it so long as we live under a Constitution which says that Congress has the sole right and power to declare war.

Let us see. Is not that an offense against any government against whose ships this power is used? The President is empowered to supply such vessels with defensive arms and also with "means for making use of them." Do you suppose you will fool anybody by that term? Do you suppose a belligerent nation is not going to know what those words mean? Why did you not say "gunners," and be done with it? Do you suppose that Germany—and so far as this bill is concerned it might be used against some other country—do you suppose their statesmen have not ordinary education and will not know what is covered by those words? Does it not look worse to cover it up with deceptive words than it would to go straight to the point and put in what you mean? But that is not all. Let me read some more of it. The bill provides—

that he—

The President—
be, and is hereby, authorized and empowered to employ such other instrumentalities and methods as may, in his judgment and discretion, seem necessary and adequate to protect such vessels and the citizens of the United States thereon in their lawful and peaceful pursuits on the high seas.

What does that mean? Why, Mr. President, if the President carries out that authority, this is what he will do: He will take a merchant ship and load it down to the guards with ammunition, with destructive weapons of war, with munitions, and he will put on that ship the guns of the United States; he will take the ammunition of the United States; he will put gunners of the United States on that boat; then they will cross the ocean, and they will fire upon the first submarine they see. Then what has happened? Why, Mr. President, the Government of the United States has made an attack. You may answer that we are justified. I know many people believe we are, but I do not believe we are. I concede there is some reason in this kind of an argument, and that many honest men believe that; but if that is your defense, then, why not declare war at once? Why go around the bush? The bill provides that the President can use "such other instrumentalities and methods"; that is, anything on earth. He can send the Navy, the battleships, the torpedo boats, in addition to guns that he puts on the private ship, and convoy them across the ocean, and, as has been well said by the Senator from California [Mr. WORKS] in his able address, the President does not go with the ships; Congress does not go with the ships; they will not be there; but there will be a captain on the boat, who will decide when it is necessary to use the power that is intrusted to his hands. This captain will be in the employment of the owners of the ship. He will thus be in command of gunners who are part of the United States Navy, and it may well happen that an official of the Standard Oil Co., acting in the capacity of captain or commander of one of that company's numerous merchant vessels, will command officers of our Navy and tell them when to fire on a foreign ship.

Mr. President, are we not trying to deceive somebody else, and are we even deceiving ourselves as to what this language means—"such other instrumentalities and methods"?

The President can send flying machines; he can send Zeppelins; he can send submarines; he can do anything he can think of that would destroy a submarine or any other vessel, for it does not have to be a submarine. Under this bill the President can do anything; his power is absolutely limitless. The Constitution says that Congress has the sole power to declare war. This, in effect, is an amendment of the Constitution, an illegal amendment. We are abdicating, we are surrendering our authority.

Are we willing to do it? More important than that, however, is it right that we should do it? If I wanted to do so, I could hurl back the charge that we are trying to shirk a duty, by saying that those who favor the bill are shirking the duty put upon them by the Constitution, which they have sworn before God that they would support and defend.

We have the sole authority under the Constitution to declare war, and while this bill does not in express terms say that we abdicate that power and turn it over to the President, it gives the President authority which, if he exercises it, takes that power away from Congress just as completely as if we had amended the Constitution and taken those words out of it. There can not be any doubt about that. It will not answer to say the President will not exercise that authority. For God's sake, why give it to him if you do not expect him to exercise it? Others say the President has it now. Well, then, what is the use of giving it to him again in a statute? Will that make it any better?

Mr. President, I can not understand how any Senator can read those words and get out of them anything except that we place absolutely in the President's hands the power to make war with any nation on earth. In the first place, we give the vessels the right to defend themselves against unlawful attacks. I think that is all right. Then we say to the President, "You can put the men"—men drawing their pay from the taxpayers of the United States—"to act as gunners on a private ship." Does not that make it a Government ship, in effect? Now, here comes the Government and loans or sells Government guns to owners of private ships. That may be defended on the ground that the Government can give its guns to anybody it pleases; but the Government can not send its soldiers and put them under the command of a captain of a private ship, and when those soldiers commit any act, escape the responsibility of that act. There is no escape from that.

Here is another proposition to which I wish to call your attention; not so much that I complain of it, but it absolutely does away with every cause which it is claimed on behalf of the bill has made the bill necessary. This bill as originally introduced in that particular part of it, reads as follows, referring to the President:

authorized and empowered to employ such other instrumentalities and methods as may, in his judgment and discretion, seem necessary and adequate to protect such vessels and the citizens of the United States in their lawful and peaceful pursuits on the high seas.

But the bill now pending has been amended by adding after the words "citizens of the United States," the word "thereon." If that word were not in the bill, then it would extend to the citizens of the United States traveling in a foreign vessel, because it says the President shall do whatever, "in his judgment and discretion," may "seem necessary and adequate to protect such vessels and the citizens of the United States in their lawful and peaceful pursuits on the high seas." A citizen of the United States traveling on a foreign vessel is engaged in a peaceful and lawful pursuit. So, under this bill, the President would have the authority, if this change had not been made, to protect that class of citizens; but the way in which it is now changed it reads—

to protect such vessels and citizens of the United States thereon.

So, in order to be protected, the citizens of the United States must be on a United States merchant vessel.

Mr. CLAPP. Mr. President, what is the Senator reading from?

Mr. NORRIS. I am reading from the substitute bill now pending, offered by the acting chairman of the committee. It is the Senate bill modified in the way I have noted.

Now, let us see what that does. What is the cause of all this cry for this legislation? Has anybody been killed on a United States vessel? Where have the people been killed that have brought on this demand for this very power? Why, on the *Lusitania*, on the *Laconia*, and other foreign vessels. That was why the President delivered his message. That was why he asked for this power. That is why you introduced this bill and reported it here from the Foreign Relations Committee. But as you have it now, it will not protect a single soul on a foreign ship; and if this bill as it is now proposed had been in force when the *Lusitania* was sunk, there would have been absolutely no liability. There would have been no right to protect any of those citizens. Not a single soul who went down the other day on the *Laconia*, a British ship, would get any protection under this bill as it now stands. So that after all your clamor and after all the furor, the bill that you propose to enact into law will be no remedy for the particular wrong that has brought about the agitation that resulted in its introduction, and will result in its passage if it be passed.

Mr. President, I say that we ought not to pass this bill because, as I tried to explain a while ago, it abdicates our power; it gives to the President in effect the right to make war, to get the country in such condition by the exercise of the power given him that the constitutional provision giving to Congress the sole right to declare war would be absolutely meaningless and useless. Do we want to surrender that power? Do we want to surrender to the Executive the power that is ours under the Constitution? And, whether we want to or not, have we any right to do it?

I am going to read you an opinion from a leading American authority on that subject. This writer says:

Members of Congress ought not to be censured too severely, however, when they fail to check evil courses on the part of the Executive.

Do you get that, now? Let me read it again:

Members of Congress ought not to be censured too severely, however, when they fail to check evil courses on the part of the Executive. They have been denied the means of doing so promptly and with effect. Whatever intention may have controlled the compromises of Constitution making in 1787, their result was to give us not government by discussion, which is the only tolerable sort of government for a people which tries to do its own governing, but only legislation by discussion, which is no more than a small part of government by discussion. What is quite as indispensable as the debate of problems of legislation is the debate of all matters of administration.

Do you get that point? This writer says it is just as important for Congress to debate the administration and see what the administration is doing as it is to debate legislation.

Reading again:

It is even more important to know how the house is being built than to know how the plans of the architect were conceived and how his specifications were calculated.

Later on he says as follows:

It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees.

That is what I have been advocating about these appropriation bills and about all the other legislation, including this bill.

Then again, says this writer:

It is meant to be the eyes and the voice and to embody the wisdom and will of its constituents.

Remember, he is speaking now of a legislative body like this.

Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.

Instead of Congress being controlled by the Executive, this great writer thinks Congress should investigate every act of the Executive. How different is that from a Congress obeying every command of the Executive and passing laws at his dictation—laws that in effect surrender the constitutional prerogatives of Congress and turn them over to the Executive! How different from a Congress like this, which obeys the Executive as the servant obeys the master!

There is a direct charge of wrong against the methods of this very Senate, of this very session, Mr. President, of this very hour.

The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration but more than that—that the only really self-governing people is that people which discusses and interrogates its administration.

Listen to that, Senators. This great writer says that a self-governing people is that people which discusses and interrogates its administration. That means, when the administration asks you to pass a bill that will give to it the power to make war without consulting Congress, in violation of the Constitution of the United States, that it is the duty of Congress to inquire and interrogate that administration. That is what I have been trying to do.

Now, this writer has something else interesting that I want to read along the same line. He says:

It was notorious that the subservient parliaments of the day represented the estates and the money of the peers and the influence of the king rather than the intelligence and purpose of the nation.

Did you get that? Subservient parliaments represent the influence of the king rather than the intelligence of the nation. Apply that to our Government. We would then say, "Subservient Congresses represent the estates and money of the millionaires and the influence of the President rather than the intelligence and purposes of the nation."

Reading further:

The whole "form and pressure" of the time illustrated only too forcibly Lord Bute's sinister suggestion that "the forms of a free and the ends of an arbitrary government are things not altogether incompatible."

Now, I was about to read some more here, but I am reading too much, I see, and taking too much time. This writer, in speaking of the Constitutional Convention, said:

It was something more than natural that the convention of 1787 should desire to erect a Congress which would not be subservient and an Executive which could not be despotic.

Listen to that. This great man says that it was the object of our forefathers—

to erect a Congress which *would* not be subservient and an Executive which *could* not be despotic.

Do you see the difference? He says our forefathers thought they were getting a Congress that would not be subservient and an Executive that could not be despotic. By this bill we are transferring to the President our constitutional power in regard to war—the most important duty we have to perform anywhere. By this bill we make Congress subservient and the President despotic. The President demands it, and we obey. This is just contrary to what this great writer said our forefathers intended.

Then, reading further:

It was equally to have been expected that they—

That is, our forefathers—

should regard an absolute separation of these two great branches of the system as the only effectual means for the accomplishment of that much-desired end. It was impossible that they could believe that Executive and Legislature could be brought into close relations of cooperation and mutual confidence without being tempted, nay, even bidden, to collude.

I am not speaking of any particular President; I have no reference now, in referring to this power, to the present Executive. It would be just as bad if it were any other Executive; and we are going to have other Executives, even if you would not be afraid to trust this one. But he will not be there forever.

This writer continues:

How could either maintain its independence of action unless each were to have the guaranty of the Constitution that its own domain should be absolutely safe from invasion, its own prerogatives absolutely free from challenge? "They shrank from placing sovereign power anywhere."

We are going to place by this bill all in the President's hands. But this great writer says that our forefathers, when they made the Constitution, shrank from placing sovereign power anywhere.

He goes on:

They feared that it would generate tyranny; George III had been a tyrant to them, and come what might they would not make a George III. They would conquer by dividing the power they so much feared to see in any single hand.

That is what our forefathers thought they were doing. We are putting it, however, all in one hand; and have we a power under the Constitution more important, one in which all the people, yea, the people of other nations as well as ours, are interested, than the right to declare war? Have we anywhere a greater power than that? And this writer said our forefathers, when they adopted the Constitution, thought they had divided up the power so that no Congress would be subservient and so that no President could be despotic. We are changing it all. We are making a George III, and that George III is the President of the United States.

Mr. President, I could read for hours from this same writer along the same lines, and I want to say to my Democratic friends that this is an authority that you dare not dispute. I have been reading from Congressional Government; a Study in American Politics, by Woodrow Wilson. He is the man from whose pen has come those beautiful gems about government. If he believes now as he believed then, it seems to me that he would hesitate a long while before he would undertake the power, even if we gave it to him. He would blush with shame for our "subserviency." But here we have him asking for it, and here we have, apparently, what he called a subservient Congress, ready to grant it.

Mr. President, I wish I had time to read on from that book the doctrines in which I believe, doctrines that I believe are near and dear to the heart of every liberty-loving American citizen, so beautifully depicted, to show that our forefathers, when they framed the Constitution, thought they were preventing the President from having anything like the power that you propose to give him in this act.

It has been noted here by some other speaker that Australia has a law or regulation that prevents women and children from sailing even on English vessels into these danger zones surrounding England, even to English ports; that Canada has the same kind of law; that India has the same kind of law; and the Senator from Minnesota [Mr. CLAPP] gave an illustration where a British ship, stopping at a Canadian port from the United States on its way to Liverpool, had on board 3 American women and 25 women and children who were Canadians, and under that law they took off of that British ship every Canadian woman and child and left the Americans on. We have

made no law to prevent it. When England has that kind of a rule as to her own colonies, why should we be so anxious to say we want our citizens to go out upon the sea in any old boat, loaded to the brim with munitions of war, and demand that the United States shall send its fleet along to protect them?

Mr. President, it is not right. No other Government does it. England does not do it herself. We have passed laws that boats on our rivers in Alaska that carry passengers can not carry explosives. You can not travel upon interstate railroads on cars containing explosives. It is contrary to law. But you can go to New York and go across the ocean, sleeping every night upon tons and tons of explosives. If I had my way about it, I would pass a law that would not permit any American citizen to leave an American port upon a vessel carrying munitions of war to a belligerent country. I have said before in this Chamber that we ought to have a law that would prevent that from being done. We do it with everything else. We have no right to demand that an American passenger shall become an insurance policy against loss of a shipload of munitions of war going from this country to a belligerent nation.

Mr. President, during this same Congress I think, or in the Congress preceding this, the Senator from Nebraska [Mr. HITCHCOCK], my colleague, who has charge of the pending bill, introduced a bill the effect of which was to place an embargo upon ammunition and munitions of war. His idea then was to prevent any munitions of war being shipped from the United States to any of the belligerent nations. I presume he meant it. I do not believe he did that to practice deception on the people at home or here. I do not suppose he did that because he thought it would be popular at home or get votes because he wanted them in an election. I suppose he did that because he believed it was right. He is now, after reelection, fathering a bill that not only permits American ships to carry munitions of war, but if in addition to the munitions of war they can get an American citizen to sail as a passenger on her the entire Navy of the United States can be called out to convoy those munitions of war on that vessel and see that they are delivered to the belligerent nations in safety. If there is anything on earth that could make us a party to that war, that kind of conduct would do it. I do not believe the Congress of the United States would enact that kind of a law if every Senator would follow his own conscientious convictions.

There has been a great deal said about Mexico, and there is a great deal I wanted to say about a portion of it, and some other things that I will have to omit, because I am not going to talk much longer. I have already taken up probably more time than I ought to have done.

But we have had some experience in the power exercised by this same President. We delegated some power to him in Mexican affairs, and I am only going to speak of one branch of it. Some American sailors landed at Tampico. They were arrested by Huerta's soldiers. Huerta at that time was in control more than any other one person, probably, in Mexico, and was in absolute control at Tampico. Huerta had not been recognized by our Government. I want to pause right here to say that I was one of the citizens of this country who always commended our President because he did not recognize Huerta. I have not only said it here, but I have said it many times in public. Huerta was a murderer, a butcher. He obtained power through the overthrow of Madero by foul and inhuman murder, and our President refused to recognize him, and I have always been glad that he did.

But Huerta's men arrested some United States seamen who had gone to Tampico for gasoline. These seamen had violated a rule established by Huerta in regard to that port. They did not know about it. They were innocent of it, but they were arrested by the guards. They were under arrest for about an hour and a half. When Huerta found out that some American seamen had been arrested he immediately ordered their release and their return to their boat, and it was done. They never were confined in jail. They were only technically under arrest. They were not injured in any way.

When that happened our Government that had never recognized Huerta demanded two things of Huerta. They said Huerta must apologize, and he must also salute the American flag. He did apologize, an apology that was accepted by our Government, but he declined to salute the American flag; and because he did not salute the American flag the President sent our Army and Navy into Vera Cruz. We captured the city. We killed several hundred Mexicans who were innocent and were not to blame because that old pirate did not salute the flag. We lost 19 or 20 precious American lives in the attack, and the taxpayers of our country have not yet paid the bill. We just passed a law the other day to authorize an issue of

\$162,000,000 in bonds to settle up the Mexican situation. Our children and grandchildren will be paying that debt after we are dead, but the stock gamblers of Wall Street will get their rake-off in a few days now in handling the bonds.

I know it is always asked when anyone complains about Mexico, "What would you have done if you had been President?" I admit that is a fair question and ought to have a fair answer. In the first place, if I had been in charge of it, I never would have asked Huerta to salute the flag. That would have avoided all trouble and saved the sacrifice of human blood. It was absolutely useless and should have been done under no circumstances. It was not an incident of sufficient importance in the circumstances to justify making war, and yet we did go to war because of that abominable butchering pirate refusing to salute the American flag. Mr. President, I not only would not have asked him to salute the flag, but, if I could, I would have prevented the old devil from saluting it even if he had wanted to.

Are we going to do something like that again? Are we going to get into trouble over some technicality like that? If we pass this law we may make it possible to go even further and do worse, if not with the present administration, with some succeeding administration. After we went in and captured Vera Cruz, we stayed there a few months, and then we came out, and during all the time we were there Huerta never saluted the flag. I think the President, when he heard about the flag incident, instead of sending the Army and Navy down there to fight and kill people and get killed, ought to have wired down there to the admiral: "For God's sake hide the American flag for fear the old butcher will salute it."

Then we left, and the flag has never yet been saluted. Huerta followed us, as a matter of fact, and landed in New York and lived and died on American soil and never saluted the flag. I think it is one of the dark pages in our Nation's history. Without any cause and without any reason there are altogether seven or eight hundred mounds where lie that many innocent people, all because a brute would not salute the American flag and because a President was exercising a power similar to that which you propose to give him in this bill.

If Mexico had been a great nation instead of a weak one, we would have had war then and there. There is no room for doubt on that proposition.

Mr. President, I do not feel that we are under any obligation to the President to do what he wants us to do unless we believe what he wants us to do is right, and I think if we did that there would not be any doubt but that this bill would fail or be amended.

There is one thing about the course we are pursuing that I dislike, and it is the charge that in foreign countries, if we do not pass this legislation, there will be a feeling that we are divided among ourselves, but I am inclined to think that the statement to which I have before referred and which is printed in the Record will disabuse the minds of those who feel that way. I am sure I do not want that impression to go out, and yet, Mr. President, this matter is forced upon us here in the last two days of Congress, and not only this proposal from the President, but all the appropriation bills and some other important bills that the President wants, and he wants them all at once—within a few days. I do not feel that I am called upon to violate what I believe to be my oath and my conscientious conviction of duty without being convinced that from the condition confronting us there is no other outlet. If Congress were going to adjourn to-morrow or to-day and there was no way of reassembling it until next year or for the next nine months, I would swallow some serious objections of that kind. I would not be so insistent that we should perform what I believe to be our duty. But, Mr. President, it is an easy thing for us to be reassembled, in fact, we ought to be reassembled. The President himself says he thinks he ought to remain in touch with us. He ought to be in close and intimate touch with us; and if he does want to be in close and intimate touch with us, then we ought to be here in Congress assembled, and if he means what he says in his message he can and will at once call Congress in special session.

PNEUMATIC TUBE COMMISSION.

The VICE PRESIDENT. The Chair appoints as members of the joint commission provided for in the Post Office appropriation act Senator BANKHEAD, Senator HARDWICK, and Senator WEEKS.

ARMED MERCHANT SHIPS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21052) authorizing the President of the United States to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and for other purposes.

Mr. OWEN and Mr. LA FOLLETTE addressed the Chair.

The PRESIDING OFFICER (Mr. LEA of Tennessee in the Chair). The Senator from Oklahoma.

Mr. OWEN. Mr. President, it is my purpose to support the request of the President of the United States. I do so in the belief that the great body of the people of the magnificent State of Oklahoma who sent me here desire that I should do so. I do so because I believe a public exigency of the highest importance requires it. I do so trusting in the representation made by the President of the United States in his message to Congress a few days ago. I place the utmost reliance on the words of the President in asking for the means with which to protect our merchant ships. He said:

It is devoutly to be hoped that it will not be necessary to put armed force anywhere into action. The American people do not desire it, and our desire is not different from theirs. I am sure that they will understand the spirit in which I am now acting, the purpose I hold nearest my heart and would wish to exhibit in everything I do. I am anxious that the people of the nations at war also should understand and not mistrust us. I hope—

Says the President—

that I need give no further proofs and assurances than I have already given throughout nearly three years of anxious patience that I am the friend of peace and mean to preserve it for America so long as I am able. I am not now proposing or contemplating war or any steps that need lead to it. I merely request that you will accord me by your own vote and definite bestowal the means and the authority to safeguard in practice the right of a great people who are at peace and who are desirous of exercising none but the rights of peace to follow the pursuits of peace in quietness and good will—rights recognized time out of mind by all the civilized nations of the world. No course of my choosing or of theirs will lead to war. War can come only by the willful acts and aggressions of others.

Mr. President, before this unhappy war arose it was the international law—and I think that neutrals are still compelled under the rules of that international law to regard it now as the international law—that merchant vessels, with or without contraband, had and now have a free right to pass without being subject to destruction without notice through the high seas; that even those ships which carried contraband had and now have a right before being summarily sunk to be visited, to be examined, and an opportunity afforded to the crew of such vessels for safe conduct to port before being sunk.

I am not unaware of the exigencies with which the Imperial German Government is faced. The Imperial German Government can not command the high seas because of an ineffective naval force. The Imperial German Government, feeling keenly the blockade established by the superior naval force of the British Empire, has declared it a necessity of war to disregard the established international code and to carry on a submarine warfare that shall be ruthless, and to sink ships without notice in a certain zone, armed or unarmed, contraband or not contraband, with or without cargo.

THE INTERNATIONAL LAW OF NEUTRALS.

It was hoped a year ago that the United States had arrived at an adjustment with the Imperial German Government. In my own judgment the reservation of the Imperial German Government that it reserved the right to carry on the submarine warfare without notice to ships, to sink them without notice, was a reservation that was not permissible or recognizable by our Government under the international law governing neutrals as it has been recognized prior to the breaking out of this great controversy in August, 1914. We can not change this law without violating our obligations as neutrals to other belligerents and setting a precedent which may fatally affect our own future. The President of the United States, in charge of the conduct of the foreign affairs of the United States, found himself compelled to deal with the Imperial German Government in numerous cases in which American vessels were sunk in which American citizens lost their lives, and he was compelled, as the Chief Executive of a great neutral power, to declare the duty of the United States and the rights of the United States under international law as it existed. He solemnly declared this law and is compelled by the laws of neutrality to maintain it. The President of the United States was not responsible for the ships owned by individual Americans going from one port to another upon business voyages, which they in the course of commerce had the right under international law to make. It was not contrary to but in accordance with international law that ships should carry munitions no matter if distasteful to any nation affected by it. The unfortunate thing for the German Empire was that because she could not command the seas this law gave an advantage to Great Britain and her allies because they could in greater degree command the seas.

The President was therefore compelled to take his course to defend the rights of the Government of the United States and of her citizens under international law. Having taken this step in pursuance of international law, the question with which he is confronted, as our representative, is,

Shall he withdraw from the assertion of the rights of the United States as a great neutral or shall he stand firmly upon those rights, not changing them in the midst of this gigantic conflict, but observe them as he is obliged to do as a neutral? If he tried to change them, he would violate our neutrality with Great Britain and her allies and give them a serious grievance under international law against us. The question then is, when he is in this position under international law, whether the American people will hold up his hands or whether they will not do so.

In my judgment it would be a great national calamity if the people of the United States and if the Congress of the United States should refuse to hold up the hands of the Chief Executive of this Nation under these painful circumstances. The Imperial German Government has notified the world that all neutral ships of commerce, even if unarmed, free from contraband, loaded with passengers on lawful voyages, innocent of wrongful intent to anyone, will be sunk on the high seas without notice, without a chance for their passengers to escape with their lives. That Government seems determined to force us to acknowledge her right in the midst of this conflict to change the law of nations and bring us in conflict with her antagonists. In that exigency the President of the United States calls upon Congress and says:

I ask a sufficient credit to enable me to provide adequate means of protection where they are lacking, including adequate insurance against the present war risks.

The question for Congress is, Shall that reasonable request be granted or shall it not?

Mr. President, if prayers or sacrifice could adjust this gigantic conflict in Europe we would all be glad, I think, to make our just contribution to secure peace on that torn and unhappy continent; but this conflict will only terminate by the triumph of the strongest arms. It is a conflict unrelenting, ruthless, carrying on means of destroying human life, gigantic, novel, and of extraordinary efficiency in the engines of destruction.

WE MUST CONSIDER THE FUTURE.

It is well for us, in considering the eventualities that will flow in the immediate future from the triumph of one or the other of these titanic forces to consider what these great powers in conflict stand for in relation to the United States if one or the other be victorious. On the one side I believe are ranged, in many forms, great democracies—Great Britain with her colonies and dependencies, France and Italy and Belgium and their colonies, Russia and her democratic people. On the other side are ranged many military autocracies, those of Germany, of Austria, of Bulgaria, of Turkey, ruling by so-called "divine right" and by organized military power and not "by the consent of the governed," except by the involuntary consent which dare not oppose superior force. On the one side are the ideals of democracy, of the right of the people to rule themselves justly and with liberty under the principle declared by Abraham Lincoln as expressed in his message to Congress, in which he said, "Let us have faith to believe that 'right makes might.'"

And on the other side is the military ideal that "MIGHT MAKES RIGHT."

THE DOCTRINE "MIGHT MAKES RIGHT."

Mr. President, the doctrine that lies at the base of military autocracy is a fixed ideal of power alone, a permanent ambition to rule by force of the cannon's mouth and machine gun, an ambition long maintained and without the shadow of a doubt as to its significance. I call your attention to the bronze cannon on the north entrance of our War Department Building, a great cannon whose name is "Le Marechal le Duc d'Humieres," cast by the Bourbons nearly two centuries ago, and on its face in three different mottoes is this false doctrine that "might makes right."

At the mouth of the cannon you will find these words: "Le passe par tous"—"the passway through everything"—the cannon's mouth the passway, it may be, through justice and mercy and innocence and righteousness and industry and honor—"Might makes right."

On the base of that cannon you will find the words, "Nec pluribus impar"—"not unequal to many." The cannon commands the people, and is "not unequal to many." It can slay and dominate and tax millions without the consent of the governed. On the body of that Bourbon cannon you will find the phrase, "Ultima ratio regum"—"the final argument of kings." When the people argue that right is right, they hear the final argument of kings—the cannon's roar—and learn that MIGHT MAKES RIGHT.

Do you think that this is merely a romantic suggestion cast in bronze in honor of le Duc d'Humieres? Not at all. The

doctrine of armed power over the people with or without their consent is at the base of the German Empire to-day.

This was the doctrine of Frederick the Great and of his father, the Great Elector, and this is the doctrine of William, the present Emperor.

LOCAL DEMOCRACY RULED BY AUTOCRACY.

It is true that after the Franco-Prussian War Bismarck made many concessions to the democratic sentiment of the German people in the management of their local affairs and developed a very high degree of democratic efficiency through various forms of municipal ownership, so that in a city like Munich the people not only controlled, through their own municipal powers, such as city water works, city gas works, electric light, heat, and power plants, city hospitals, city schools, city tramways, but city bakeries, city packing houses, and city breweries.

The industrial conditions of Germany have been wonderfully stimulated by democratic cooperation among the people, stimulated by the Imperial Government, and the Imperial Government has provided many forms of democratic cooperation, such as State insurance against old age, industrial accidents, and diseases, vocational education, rural-credits associations, co-operative marketing and buying, the cartel system, State-owned railroads, telegraphs, telephones, and parcel post, etc.

The Imperial Government has thus greatly benefited the development of the German people and is entitled justly to very great credit for this service rendered to the people by using the powers of the people in the interest of the people.

This has led to a warm attachment of the people to their Imperial Government, and justly so; it has led to a magnificent development of the German people which is the admiration of all of the lovers of men, but, nevertheless, along with this splendid internal democratic organization there has remained the dominance of the German Empire by Prussia and the dominance of Prussia by the House of Hohenzollern, claiming to rule by *divine right*—the right to rule the people with or without their consent, the right to command the army and the navy, and the Emperor has become surrounded by a tremendous highly organized military power of which he is made, either willingly or unwillingly, the spokesman.

It was this group, I believe, who forced the sword into William's hand and compelled him to sign the order of mobilization the 1st of August, 1914.

THE SECRET TREATY OF VERONA—WORLD-WIDE DEMOCRACY THREATENED.

I call your attention again to the secret treaty of Verona, which I had printed in the CONGRESSIONAL RECORD on April 25, 1916, for the purpose of attracting the attention of this country to the policy which lies at the basis of these great contending powers. This treaty, the secret treaty of Verona, was framed by Metternich, of Austria, in 1822, after Napoleon had seized the organized powers of democracy and turned them into an engine of monarchy which out-Heroded Herod and was overthrown.

Listen to the philosophy and historical admonition of the secret treaty of Verona:

The undersigned, specially authorized to make some additions to the treaty of the Holy Alliance, after having exchanged their respective credentials, have agreed as follows:

ARTICLE 1. The high contracting powers being convinced that the system of representative government is equally as incompatible with the monarchical principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

ART. 2. As it can not be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations to the detriment of those of princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it, not only in their own States but also in the rest of Europe.

The King of Prussia and the Emperor of Austria were the real autocratic monarchs behind this deadly compact to destroy the democracies of the world and establish "world power" for themselves and their allies as the military autocrats of mankind.

Mr. LEWIS. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Illinois?

Mr. OWEN. I yield to the Senator.

Mr. LEWIS. Would the Senator forgive me for merely calling his attention, in support of his very classic and historic address, to the fact that the very treaty to which he alludes had for its purpose the preventing of Spain and Portugal, which had broken out then into the form of a republic, from emulating the form of this, the United States of America, in both its democracy and republicanism of form, to prevent the spreading of our doctrines to Europe?

Mr. OWEN. Mr. President, this treaty continues, in the fourth article, as follows:

ART. 4. The situation of Spain and Portugal unite unhappily all the circumstances to which this treaty has particular reference. The high contracting parties, in confiding to France the care of putting an end to them, engage to assist her in the manner which may the least compromise them with their own people and the people of France by means of a subsidy on the part of the two empires of 20,000,000 of francs every year from the date of the signature of this treaty to the end of the war.

Spain had established a limited monarchy based on recognition to some degree of the rights of the people. These nations sent armies, under Louis XVIII, into Spain for the purpose of reducing this limited monarchy to an absolute monarchy, *with the same prince on the throne*. The contest was absolute military autocracy against any form of democracy. They sent an army into Italy also—an Austrian army—to reduce a like limited monarchy to an absolute monarchy, the same issue of absolute military autocracy against the principle of democracy, and then they proposed after succeeding in Spain and Italy to send their armies to the Western Hemisphere for the purpose of reducing all revolting colonies of Spain and Portugal, overthrowing western democracy and establishing absolute military autocracy and then it was that Great Britain, the greatest of all democracies, through Canning, the prime minister, notified the Government of the United States of this dangerous purpose, and notified the Holy Alliance, so-called, that Great Britain would regard with disfavor any attempt by the Holy Alliance to reduce the revolting colonies of Spain and Portugal in the Western Hemisphere. The matter was considered by Thomas Jefferson, and he regarded it as the most important occurrence that had transpired since the establishment of the United States of America. It led to the doctrine, the so-called Monroe doctrine, in which President Monroe sent a message to Congress in which it was stated that the United States would regard it as an unfriendly act for any European power to attempt to establish its system of government on the Western Hemisphere, and that prevented the Holy Alliance from subjecting the Western Hemisphere to the powers of absolute monarchy which would have destroyed the democracies of the Western Hemisphere at their birth.

VON BERNHARDI.

Mr. President, in October, 1911, there was published a work of profound significance by Gen. Friederich von Bernhardt, translated by Allan H. Powles, entitled "Germany and the next war." I think it is generally understood and conceded that Gen. von Bernhardt represents the view of the military powers of Germany, that he may be fairly called a spokesman for that group, and for that philosophy, if we may call it philosophy. Let me read just a few words from Gen. von Bernhardt. He said that "A rude shock was needed to awaken the German people," to awaken the *warlike instincts* of the German people, and compel them to show their military strength. He speaks of them as "a peace-loving, almost too peace-loving, nation." He speaks of the good-natured character of the German people, and with that I agree, but he says that it is necessary to move them to war. He says:

I must try to prove that war is not merely a necessary element in the life of nations but an indispensable factor of culture in which a true civilized nation finds the highest expression of strength and vitality.

He says further:

Our people must learn to see that the maintenance of peace never can or may be the goal of a policy. The policy of a great State has positive aims. It will endeavor to attain this by pacific measures so long as that is possible and profitable.

He says further:

The inevitableness, the idealism, and the blessing of war as an indispensable and stimulating law of development must be repeatedly emphasized. The apostles of the peace idea must be confronted with Goethe's manly words:

"Dreams of a peaceful day?
Let him dream who may!
'War' is our rallying cry,
Onward to victory!"

Mr. President, he says:

The Great Elector laid the foundations of Prussia's power by successful and deliberately incurred wars. Frederick the Great followed the example of his glorious ancestors. He noticed how his State occupied an untenable middle position between the petty States and the great powers, and showed his determination to give a definite character (*decider cet être*) to his anomalous existence; it had become essential to enlarge the territory of the State and *carriger la figure de la Prusse*, if Prussia wished to be independent and to bear with honor the great name of KINGDOM. The King made allowance for this political necessity and took the bold determination of challenging Austria to fight. None of the wars which he fought had been forced upon him; none of them did he postpone as long as possible. He had always determined to be the aggressor—

Frederick the Great had always determined to be the aggressor, and he still is the idealized leader of the military group

that now controls the German and the Austrian Empires, and we were given a testimonial of this idealism by the United States being presented by Wilhelm recently with a figure of Frederick the Great, which stands in front of our War College.

He had always determined to be the aggressor, to anticipate his opponents, and to secure for himself favorable prospects of success.

Mr. President, this book glorifies war. It has a chapter entitled "World power or downfall," and the outline of the next war is indicated, the forces that will take part in it, the part that must be played by the German Empire.

There is a wide distinction between the German people and their autocratic leadership that has led them to ruinous war.

Mr. President, I can hardly say whether I feel a keener sympathy for the unhappy people of Germany or the distressed people of France and Great Britain. The German people are by nature, outside the military autocrats, peace loving, good natured, lovable—the people of France and of Great Britain are by nature even more peace loving and lovable and are moved by a magnificent patriotism and spirit of joyful self-sacrifice and enthusiasm—but when Wilhelm gives the order for mobilization and for war the people of both countries are thrown into a frenzy of war, and the insane passion of war finds expression in unnumbered excesses and violence beyond all belief. When the order of mobilization was given by the Emperor of Germany it mattered not how peace loving or good natured or lovable the people were; they had no choice whatever but to respond to the battle cry. The German citizen had no choice but death except to march to the trenches under the command of this military autocracy, and, Mr. President, if this military autocracy wins in this war, if this military autocracy by virtue of this war can dominate the democracies of France and Italy and Great Britain and Europe, it will become, indeed, the "world power," idealized and prayed for by the military autocracy, and our country, from a peaceful, industrial, happy democracy, where liberty is idealized, may by military force be driven to become a part of a great military machine, controlled by the same forces which are in control now of the central Empires. Mr. President, if war does come by virtue of our sustaining our neutral rights, I shall be reconciled in the belief that at least the United States has at last thrown her great powers on the side of democracy, on the side of liberty and justice and mercy and humanity, on the side of the doctrine that "right makes might" and against the infinitely pernicious doctrine that "might makes right."

Mr. HITCHCOCK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. OWEN. I yield the floor.

Mr. LA FOLLETTE. Mr. President—

Mr. HITCHCOCK. At this time—

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. The Senator from—

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from—

Mr. LA FOLLETTE. Mr. President, I do not ask the Senator from Nebraska to yield to me. You asked the Senator from Oklahoma if he would yield the floor to the Senator from Nebraska. No Senator can yield the floor to another Senator.

Mr. HITCHCOCK. Mr. President, I ask for the floor in my own right.

The PRESIDENT pro tempore. The Senator from Nebraska first addressed the Chair and is recognized.

Mr. LA FOLLETTE. But, Mr. President, one moment.

Mr. HARDWICK. I suggest the absence of a quorum.

Mr. HITCHCOCK. I decline to submit to—

The PRESIDENT pro tempore. The Senator from Georgia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Norris	Smith, Mich.
Bankhead	Husting	Oliver	Smith, S. C.
Borah	James	Overman	Smoot
Brady	Johnson, S. Dak.	Owen	Sterling
Bryan	Jones	Page	Swanson
Chamberlain	Kenyon	Phelan	Thomas
Chilton	Kirby	Pittman	Tillman
Clapp	La Follette	Pomerene	Townsend
Colt	Lane	Reed	Underwood
Cummins	Lea, Tenn.	Robinson	Vardaman
Curtis	Lee, Md.	Saulsbury	Wadsworth
Dillingham	Lewis	Shafroth	Walsh
du Pont	Lodge	Sheppard	Weeks
Fernald	McLean	Sherman	Williams
Gronna	Martin, Va.	Shields	Works
Hardwick	Martine, N. J.	Simmons	
Hitchcock	Myers	Smith, Ga.	
Hollis	Nelson	Smith, Md.	

Mr. CURTIS. I desire to announce the unavoidable absence of the senior Senator from New Hampshire [Mr. GALLINGER]. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Sixty-nine Senators have answered to their names. There is a quorum present. The Senator from Nebraska.

Mr. HITCHCOCK. Mr. President—

Mr. LA FOLLETTE. Mr. President—

Mr. HITCHCOCK. This filibuster—

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska—

Mr. LA FOLLETTE. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LA FOLLETTE. Well, I should like recognition when I rise and address the President, to know—

Mr. HITCHCOCK. Mr. President, I object to any—

Mr. LA FOLLETTE (continuing). Whether I am to have an opportunity on this floor which belongs to me.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. LA FOLLETTE. I will state it, Mr. President, when I am assured that I am recognized.

My parliamentary inquiry is this: I was informed by the Presiding Officer, one of the Senators who was last in the chair, when I sought recognition at about 8 o'clock this morning, that when the Vice President left the chair—I will wait until I can have the attention of the President of the Senate.

The PRESIDENT pro tempore. The Senator shall have his attention.

Mr. LA FOLLETTE. I was informed that when the Vice President left the chair he left a list with the names of two Senators upon it who must be recognized before I could be recognized. The names of those two Senators were Senator OWEN and Senator HITCHCOCK. I then asked to have my name placed upon the list to be recognized next.

Now, Mr. President, I recognize the fact that it has been customary to make up lists at the desk and enter upon them the names of Senators who ask for recognition. I recognize, furthermore, that sometimes those lists have been disregarded by presiding officers. Indeed, only yesterday, when the Vice President was in the chair, I asked as to whether I could get my name upon a list of those who were to speak upon this bill, and I was told that all lists had been destroyed, and that Senators would be recognized in the order in which they addressed the Chair.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry.

Mr. LA FOLLETTE. Now, I simply want to know what the practice of the Senate is to be for the remainder of this session. I am here to contend for certain rights that belong to me as a Member of this Senate under the Constitution, and to contend for those rights pretty earnestly; and all I want to know is whether the list that lies upon the desk before the President of the Senate—a list made up in part, as to two names, by the Vice President and passed on to the Senator from Tennessee [Mr. LEA], who was called to the chair and who, at my request, entered my name upon that list next after that of the Senator from Nebraska [Mr. HITCHCOCK]—I want to know whether that list is to be observed or whether it is to be disregarded by the President of the Senate.

Mr. ROBINSON. Mr. President, I make the point of order that the Senator does not state a parliamentary inquiry.

Mr. LA FOLLETTE. I am stating a parliamentary inquiry.

Mr. ROBINSON. Mr. President, I made the point of order—

Mr. LA FOLLETTE. I do not care what point of order the Senator makes.

Mr. ROBINSON. I make the point of order that the Senator does not state a point of order.

Mr. LA FOLLETTE. I am stating a parliamentary inquiry.

Mr. ROBINSON. I make the point of order—

Mr. LA FOLLETTE. I will continue on this floor until I complete my statement unless somebody carries me off, and I should like to see the man who will do it.

Mr. ROBINSON. Mr. President—

Mr. LA FOLLETTE. Now, Mr. President, what I want to know is this—

Mr. ROBINSON. Mr. President, I make a point of order.

The PRESIDENT pro tempore. The Senator from Arkansas will state his point of order.

Mr. ROBINSON. The Senator from Wisconsin rose to make a parliamentary inquiry. I make the point of order that upon being given the opportunity he has not stated a parliamentary inquiry.

Mr. LA FOLLETTE. I have not yet completed my statement. The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. LA FOLLETTE. I appeal from the decision of the Chair. Mr. ROBINSON. I move to lay the appeal of the Senator from Wisconsin on the table.

Mr. LA FOLLETTE. On that I demand the yeas and nays. Mr. ASHURST and other Senators. Call the roll!

Mr. LA FOLLETTE. We will see whether Senators are to be deprived of their constitutional rights on this floor.

Mr. ASHURST. The matter is not debatable.

The PRESIDENT pro tempore. Is the demand for the yeas and nays seconded? [A pause.] Evidently a sufficient number have seconded the demand, and the Secretary will call the roll.

The Secretary proceeded to call the roll.
Mr. STONE (when his name was called). In the absence of the Senator from Wyoming [Mr. CLARK], with whom I have a standing pair, I withhold my vote.

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WALSH (when his name was called). In the absence of the Senator from Rhode Island [Mr. LIPPITT], with whom I have a general pair, I withhold my vote. If at liberty to vote, I would vote "nay."

The roll call was concluded.
Mr. DU PONT (after having voted in the affirmative). I should like to inquire whether the junior Senator from Kentucky [Mr. BECKHAM] has voted?

The PRESIDENT pro tempore. He has not.

Mr. DU PONT. I have a general pair with that Senator. I am informed that if present he would vote the same way that I do, and I will let my vote stand.

Mr. BRADY. I have a general pair with the junior Senator from Mississippi [Mr. VARDAMAN], and therefore withhold my vote.

Mr. OVERMAN (after having voted in the affirmative). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer my pair to the senior Senator from Oklahoma [Mr. GORE] and let my vote stand.

Mr. CHILTON. I have a general pair with the Senator from New Mexico [Mr. FALL]. He is absent and I can not vote. I could get a transfer, but as I was not in when the point of order was raised I do not know how to vote.

Mr. WILLIAMS (after having voted in the affirmative). I have a pair with the Senator from Pennsylvania [Mr. PENROSE]. As he would vote if he were present as I did, I will let my vote stand.

The result was announced—yeas 52, nays 15, as follows:

YEAS—52.			
Ashurst	Fletcher	Newlands	Smith, Ga.
Bankhead	Hardwick	Oliver	Smith, Md.
Brandagee	Hitchcock	Overman	Smith, Mich.
Broussard	Hollis	Owen	Smith, S. C.
Bryan	Hughes	Phelan	Smoot
Cañon	James	Pittman	Sterling
Chamberlain	Johnson, S. Dak.	Pomerene	Swanson
Colt	Lewis	Reed	Thompson
Curtis	Lodge	Robinson	Tillman
Dillingham	McCumber	Shafroth	Underwood
du Pont	McLean	Sheppard	Wadsworth
Fall	Martin, Va.	Shields	Weeks
Fernald	Nelson	Simmons	Williams

NAYS—15.			
Clapp	Jones	Lee, Md.	Sherman
Cummins	Kirby	Martine, N. J.	Thomas
Gronna	La Follette	Myers	Works
Husting	Lane	Page	

NOT VOTING—29.			
Beckham	Gore	O'Gorman	Townsend
Borah	Harding	Penrose	Vardaman
Brady	Johnson, Me.	Pol Dexter	Walsh
Chilton	Kenyon	Ransdell	Warren
Clark	Kern	Saulsbury	Watson
Culbertson	Lea, Tenn.	Smith, Ariz.	
Gallinger	Lippitt	Stone	
Goff	Norris	Sutherland	

So the appeal from the decision of the Chair was laid on the table.

Mr. HITCHCOCK. Mr. President, I am very much surprised at the storm that has been raised over my very natural attempt to secure the floor for the purpose of making reply to the very long and very exhaustive debate that has been had against the bill which I was put in charge of. It seems to me it would be an ordinary course of the man in charge of a bill to have the opportunity, after hours and hours of attack upon that bill, to

make some reply to such attacks, and I am still more surprised because the Senator from Wisconsin [Mr. LA FOLLETTE] apparently realized and conceded that I had placed myself in a position to be entitled to recognition for this purpose.

Mr. LA FOLLETTE. Will the Senator yield?

Mr. HITCHCOCK. For a question merely.

Mr. LA FOLLETTE. My parliamentary inquiry addressed to the Chair was not whether the list upon which the Senator from Nebraska had placed his name was to be observed by the present occupant of the chair. I could not get, through a personal inquiry from the present occupant, whether it was to be observed or not, and I ask the Senator from Nebraska if he thinks it strange I should have sought the floor by parliamentary inquiry to ascertain that information?

Mr. HITCHCOCK. It is hardly worth while for us to discuss that. I am sure the Senator from Wisconsin is too good a parliamentarian to feel, after he has opportunity to cool off and think this over, that that was a parliamentary inquiry. It had nothing to do with the rules of the Senate of the United States.

Mr. LA FOLLETTE. But it had something to do with procedure, if the Senator will permit me.

Mr. HITCHCOCK. Yes; I can excuse the Senator's curiosity.

Mr. President, it has struck me as most extraordinary that this bill should have received the shabby treatment which has been accorded it. Not quite one week ago the President of the United States came before the Congress in what was thought to be a great emergency. Congress was drawing to a close, and the President felt he ought to have from Congress some expression of its support and some expression of its opinion as to the course he proposed to take under his constitutional powers during the next few months. That address of the President was listened to by both Houses of Congress, and apparently it was received with most intense approval, not only by the Congress of the United States but by the people of the United States, as expressed in the newspapers all over the country. It at once became the duty under that appeal of the President in this emergency for the chairman of the Committee on Foreign Relations of the Senate to introduce a bill, in order that the Senate might have an opportunity of seeing whether it indorsed the position of the President or not, and whether it was ready to afford him the powers and the support which he asked.

Therefore, on the 27th day of February the Senator from Missouri [Mr. STONE] introduced a bill, and to the surprise of the whole country instead of permitting that bill to take the ordinary course, not a course of expedition, every device known to parliamentary law, as far as the Senate was concerned, was put into force to prevent this bill from coming before the Senate of the United States. Ordinarily when bills are introduced they are read the first and second times, by common consent, and referred to the committees to which they belong. In this case, however, one of the Senators in this body, responsible for this long delay, and my recollection is that it was the Senator from Wisconsin [Mr. LA FOLLETTE] himself who has managed this campaign of delay, objected to its consideration, and under that objection and the almost obsolete and unused rules of the Senate that bill went over for one day.

On March 1, which was the next legislative day of the Senate, the bill came up again under its right and was read a second time and referred to the Committee on Foreign Relations, where it should have been a day or two before that. On the same day with great expedition the Committee on Foreign Relations, realizing the urgency of the matter, reported the bill immediately back to the Senate and here it has been under consideration since that time.

Mr. President, the Record will show the reiterated and oft-repeated effort I have made to bring that bill to a vote. The Record will show that time after time some Senator, belonging to the small number of Senators who had impeded the progress of this bill, objected to any device by which the bill might be brought to a vote at this session, and even my appeals to this very small minority of the Senate, probably one-tenth of the Senate, for a limitation of debate have been objected to and defeated every time they have been made.

Mr. President, that of itself is an extraordinary proceeding in a legislative body of intelligent men representing the 48 States of the Union. Certainly when the President of the United States comes before Congress and appeals for support the least that can be done is for the upper House of the Congress to give an answer to his appeal; but that has not been accorded.

I know, Mr. President, of no bill which has been treated in the shabby way that this bill has been treated, which ought of all other measures to have received the most considerate atten-

tion, not only because it is evoked by the appeal of the President of the United States, but the most considerate attention, because it has to do with the weighty affairs of State, because it involves not only the rights of American citizens and the powers of the President of the United States, but also it involves the solemn question of peace or war for the American people.

Mr. THOMAS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HITCHCOCK. I do for a question. I must be careful not to lose my right to the floor.

Mr. THOMAS. Does not the Senator think that this is a conspicuous and perhaps the most conspicuous illustration of an obsolete rule adopted in 1804 for the transaction of business, in that it shows that whatever the Senate may be able to do, it is unable to reach a vote when one or two men object?

Mr. HITCHCOCK. Mr. President, I agree with my friend from Colorado. This experience has demonstrated that even if an enemy were at our gates and the President appealed to the Congress of the United States for instant support, it might be possible for a handful of Senators in this body to defeat action.

Mr. OVERMAN. Mr. President, will the Senator from Nebraska yield to me?

Mr. HITCHCOCK. I will yield for a question, making the same reservation as heretofore to protect my rights.

Mr. OVERMAN. I want to say that there is a resolution on the calendar proposing to amend the rules, which we have tried to get considered. If that resolution had been passed a month ago, we would not have had these scenes and this pending bill would have been passed days ago.

Mr. HITCHCOCK. Well, Mr. President, I must reply to my friend from North Carolina as I have to my friend from Colorado. This experience to me is shocking; it is absolutely amazing.

Mr. WILLIAMS. And humiliating.

Mr. HITCHCOCK. And humiliating, as the Senator from Mississippi says, coming, as it does, from men who aver that they have faith in representative government and yet who are not willing to trust the greatest body of legislators in the United States to vote upon a bill which the President has laid before them. It is an experience, Mr. President, which must inevitably lead to a modification of the rules of this Senate. I am not a radical on that subject. I believe that the Senate of the United States should have rules somewhat different from the rules of the popular body at the other end of the Capitol; but certainly this experience shows that the Government may be in actual danger at some time if a few determined men set about to defeat essential legislation.

Mr. President, I have said that much with regard to the treatment accorded this bill. I took the floor for the purpose of making some reply to criticisms that had been made upon it.

Mr. STONE. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. HITCHCOCK. I yield for a question under the same reservation to protect my rights.

Mr. STONE. I desire to make a suggestion to the Senator. It has been stated by the Senator from North Carolina [Mr. OVERMAN] that there is a Senate resolution pending proposing to change the rules of the Senate so as to effect some form of cloture; I can not say just what form it is, but the Senator from North Carolina says it would bring a speedy vote. I should like to have the Senator from Nebraska lay aside his bill temporarily and ask unanimous consent that that resolution be laid before the Senate for an immediate vote.

Mr. HITCHCOCK. Well, Mr. President, I can not yield to that request at this time, for I realize that it would be futile to do so.

Mr. JAMES. It would be futile, if the Senator will pardon me, for the reason that Senators could talk that to death just as they are talking this bill to death.

Mr. SMITH of Georgia. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. HITCHCOCK. I yield for a question.

Mr. SMITH of Georgia. I merely desire to ask a question. Is it not true that the rule we have pending before the Senate requires a calendar day to pass before a motion to bring on a vote can be acted upon?

Mr. STONE. But it can be done by unanimous consent.

Mr. HITCHCOCK. I think the Senator from Georgia has correctly stated the rule.

Mr. STONE. If, however, that is refused, then it can not be done; but it will not do any harm to ask for it.

Mr. HITCHCOCK. Mr. President, I do not want to be diverted entirely from what I have to say in reply to the hours and hours of argument that have been made against this measure, not with any idea, I think, of enlightening the country, but largely for the purpose of making it impossible for the Senate to vote upon the bill.

Mr. President, what did the President of the United States ask for in his address to Congress? He asked for a few very simple things. In the first place, in the great international emergency which has confronted the President of the United States how could he have come to Congress and asked for less, taking into account the information which we now know he has had in his possession? He asked for no war power; he did not ask Congress to declare war; he did not ask Congress to authorize him to make war. He merely asked Congress for these things: First, he asked that the merchant vessels of the United States be authorized to arm themselves for defense, a right which merchantmen have enjoyed since international law became known. He asked that he be authorized to furnish those vessels with arms and to employ other instrumentalities for the same purpose. He asked that money be provided for the purpose.

Mr. President, I have already drawn attention to the fact that when the Committee on Foreign Relations began the consideration of the President's request it was confronted by a law which has been upon the statute books of the United States since 1819; a law which prohibits a merchantman of the United States to make armed resistance to the public vessels of any country with which the United States is in amity. The discovery of this law compelled the Committee on Foreign Relations to put into the new act a provision authorizing such vessels, after they had been armed by the President, to defend themselves against unlawful attack whether from pirates or from the public vessels of other countries. Mr. President, that is the bill. It is the beginning and the end of the bill. There is nothing more in the bill.

Senators here in attacking this measure have sought to show that in this bill Congress sought to delegate its constitutional power to the President to make war, and the Senator from Missouri [Mr. STONE] has cited two enactments during our trouble with France in 1798. I think it was, which, to my mind, instead of demonstrating that the present bill was defective, demonstrates conclusively that it follows the same lines as were followed in the law which authorized the President of the United States to seize French vessels that were attacking the vessels of the United States without any international right to do so.

Mr. WILLIAMS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. HITCHCOCK. I yield for a question under the same reservation which I have heretofore made.

Mr. WILLIAMS. In that connection, does not the Senator from Nebraska remember that a hundred years after that, in 1898, the House of Representatives and the Senate unanimously gave to President McKinley, quite a while before the act of intervention was passed, \$50,000,000, to be used as he chose, in protecting American citizens and American property—"to be used in his discretion" was the language?

Mr. HITCHCOCK. Yes, Mr. President.

Mr. WILLIAMS. Does the Senator, then, not think that it is a little late, after the acts of 1798 and 1898, to come here and say that this bill, with the limited powers granted to the President, is a delegation of an authority to make war, when, especially in the last case that I have mentioned, the money was put at the discretion of the President, to be used in using the Army and the naval forces of the United States, if necessary, in the manner he thought best calculated to protect American life and property?

Mr. HITCHCOCK. That is unquestionably true, Mr. President.

Mr. STONE. The language of the act was "for the national defense."

Mr. HITCHCOCK. But was it not to be used in his discretion for the national defense?

Mr. WILLIAMS. The term "national defense" is broader than the language used in this bill.

Mr. HITCHCOCK. One is for national defense and the other is to protect American vessels in their unquestioned neutral rights; and, in either case, Congress authorized the President to act and gave him all necessary powers for the purpose of acting.

Mr. WILLIAMS. Mr. President, I will ask the Senator from Nebraska—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield further to the Senator from Mississippi?

Mr. HITCHCOCK. I yield with the same reservation.

Mr. WILLIAMS. Can there be any broader lodgment of power than to give to the President authority to act in the national defense, in his discretion, and to use the naval and military forces of the United States?

Mr. HITCHCOCK. Certainly not, Mr. President. Much has been said to the effect—and I think the Senator from Missouri [Mr. STONE] dwelt upon the fact—that this bill authorizes the President to employ other instrumentalities. If the other instrumentalities are limited to the specific duty of protecting American ships and American citizens in their peaceful rights upon the seas, it is simply a device of the English language to give real power to the President to enable him to do the things which Congress authorizes him to do. As long as the use of the other instrumentalities is limited to certain purposes, there can be no excuse, in my opinion, for saying that it is a grant of unlimited war powers to the President.

Mr. President, what, in short, is this bill? It is not a bill authorizing the President to declare war; it is not a bill to authorize him to take part in that great struggle on the other side of the earth. It is a bill which authorizes him to do what he said he wanted to do. What was that? To maintain an armed neutrality. And that, Mr. President, implies in its very terms that it is not to make war, but to maintain peace and the rights of peace.

Now, Mr. President, another objection which Senators have made to this bill is that, while, as they admit, it only provides for an armed neutrality and the protection of our rights as a neutral, it may lead to war. Well, Mr. President, I think I have shown by my attitude since this terrible war in Europe broke out that I am not in favor of war; that I would be one of the last men to vote for war. I believe in my heart that I am as nearly neutral between the great belligerents as a man can be; and I believe, furthermore, that my appreciation of the horrors of that awful war would restrain me a long time from voting for any measure which I thought or had reason to think would lead to war.

What is our experience with armed neutrality? The act of Congress read by the Senator from Missouri, passed in 1798, which empowered the President to use the warships of the United States in seizing French men-of-war and either subduing them or conquering them or taking them into American ports, was a more extreme measure than the one proposed here, and yet, happily, it did not lead to a terrible war between the United States and France. Moreover, we have illustrations in this very conflict to-day of armed neutrality. Holland is maintaining an armed neutrality at the present time. Her soldiers stand on guard, and have stood on guard since the very day the war broke out. Switzerland is maintaining an armed neutrality at the present time against all of the combatants in this terrible war. To a lesser extent Sweden is maintaining an armed neutrality, defying the belligerents on either side who encroach upon her rights. It is easy to see that if those lesser nations of Europe had not assumed such a position of armed neutrality their rights would have been gone at the present time. Mr. President, instead of involving those nations in possible war their armed neutrality has been a protection from war. So I say, by the historic experience of the United States in the case of France, by the instances which we now see in Europe, armed neutrality is the only attitude which a country can take with dignity and honor in order to avoid becoming involved in the war.

Mr. President, certain amendments have been offered to this bill. I stated, when I presented the bill to the Senate, that it did not fully meet my views and prejudices. I believe I can fairly say, without revealing secrets of the committee room, that I voted in the committee for some of the restrictions which the Senator from Missouri proposes to insert in this bill. The most essential element of the amendment offered by the Senator from Missouri, and the one which naturally appeals to me most, is that which prohibits vessels armed by the United States or protected by the United States carrying or conveying munitions of war.

Mr. President, I naturally would support such an amendment. I am the author, as has been stated here to-day, of the bill which was introduced shortly after the outbreak of this war, to prohibit munitions of war being sold by the United States to countries involved in war with other countries with which the United States was at peace. I was the first to introduce such a bill and the first to advocate it, and I secured upon this floor 37 votes of Senators here to engraft that bill upon the shipping bill when it was before the Senate for consideration. I believe to-day that it was a great mistake for the United States to permit

the enormous traffic in munitions of war to be built up here, under which the United States has in a way become a base of supplies for the belligerents upon one side or upon the other.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. HITCHCOCK. For a question, under the same reservation.

Mr. LA FOLLETTE. Yes; just for a question. I wanted to ask the Senator if he did not remember that the Senators he has criticized as holding up this bill furnished a very large proportion of the votes in support of his amendment to the shipping bill to prohibit the shipping of munitions of war abroad; indeed, if every one of them did not vote for his amendment?

Mr. HITCHCOCK. Mr. President, I think the Senator has correctly stated the case.

Mr. LA FOLLETTE. And now, if the Senator will permit me another inquiry, does he not think that those Senators, in resisting the passage of a bill to arm merchantmen and send the wooden hulls out on to the ocean, are more consistent with the position that the Senator held before election than he now takes in opposing this measure?

Mr. HITCHCOCK. I can not agree with the Senator there. I have, Mr. President, held the same opinion all the time with regard to the manufacture and sale of munitions of war on this enormous scale. I think morally it was bad, and I believe that it will turn out to have been a curse to this country, because of the harvest of hate it has bred in Europe in order that it might coin profits in the United States.

Mr. SMITH of Michigan. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. HITCHCOCK. Mr. President, if the Senator from Michigan will wait a moment—the Senator from Wisconsin has not correctly stated the case. It is not proposed in this bill to authorize the President of the United States to violate the laws of neutrality, and the President of the United States could neither arm vessels loaded with munitions of war for one of the belligerents, nor could he convey a vessel loaded with munitions of war for one of the belligerents, without violating the neutrality of the United States.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. HITCHCOCK. I yield, with the same reservation.

Mr. LA FOLLETTE. It can scarcely be expected that the Senator from Wisconsin can, in one brief sentence comprising one interrogatory, state his position upon this bill, or state his belief of the scope of this bill, or define it properly. The Senator from Nebraska has spoken twice upon this bill. The Senator from Wisconsin has not had an opportunity to speak at all upon this bill. I ask the Senator from Nebraska if he does not think that fairness to Senators upon this floor who are regarded as peers from their respective States, representing equally constituencies here that ought to be heard, requires that each one of them should be permitted at least an equal chance with the others to be heard, in so far as it is possible under the rules? And I ask the Senator if he does not think that it would be fair for him, this being the second time he has spoken regularly upon the bill and the fourth or fifth time he has had the floor, while other Senators who are opposed to this bill not having had an opportunity to utter a word upon it, to give those Senators a portion of the hour and 45 minutes remaining for discussion of this measure?

Mr. HITCHCOCK. I will reply to the Senator with a question: Will he now consent to vote upon the bill which is before the Senate?

Mr. LA FOLLETTE. I shall be very glad to answer the Senator—delighted, Mr. President. I should like to state the reasons why I can not conscientiously, in the discharge of my duties under the Constitution, consent to the closing of this debate until every Senator who wants to be heard shall have the opportunity; and I suggest to the Senator from Nebraska that there is no reason why this debate should be limited to the hour and 45 minutes. The President has the opportunity to convene us in session Monday, and we can go on with this debate, and everybody have a fair and a full hearing; and then, Mr. President, that body which is fixed by the Constitution as the body to pass upon whether we shall have war or peace will say whether or not Senators shall have an opportunity to be heard.

Mr. HITCHCOCK. Mr. President, I decline to yield further.

The PRESIDENT pro tempore. The Senator from Nebraska declines to yield further.

Mr. HITCHCOCK. Mr. President, I have been very anxious to hear from the Senator from Wisconsin what argument he had to make against this bill, and I have noticed that he has been in the Senate Chamber here, and has apparently engineered those whom he put forward to speak; and I have regretted that he had allotted them so much time and reserved so little for himself, at such risk of losing the opportunity to speak.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. HITCHCOCK. No; I can not yield.

Mr. LA FOLLETTE. No; I should think the Senator could not after that statement. It would not be safe.

Mr. WILLIAMS. He ought not, whether he could or not.

Mr. HITCHCOCK. Mr. President, I have stated my position, which is fairly well known, on the subject of the munitions bill. I would be immeasurably chagrined if the United States Government should do anything either to insure or to protect the transportation of munitions of war to any of the belligerents in Europe to continue the destructive conflict there; and I have satisfied myself, by inquiry at Government sources, that our Government has been scrupulous to observe the laws of neutrality, which prohibit it from doing anything to facilitate or protect or insure the transportation of munitions of war to any belligerent country.

Mr. SMITH of Michigan. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. HITCHCOCK. I yield for a question.

Mr. SMITH of Michigan. Mr. President, the Senator has referred to the attitude which he assumed two months ago upon the question of the shipment of American arms to belligerent countries. I should like to ask the Senator if he knows whether there are or have been, during the present European war, shipments of munitions to belligerent countries in American bottoms and under the American flag?

Mr. HITCHCOCK. I think not, Mr. President. I have been informed—

Mr. SMITH of Michigan. I think not, too, Mr. President, so far as my information goes. If the Senator will pardon me one word, one question, I feel very well satisfied that the answer of the Senator from Nebraska is in accord with the facts. Now, one more question. The Senator has referred to those who have discussed this bill. I am a member of the Committee on Foreign Relations, and I have not discussed it. Does not the Senator from Nebraska feel that I have a fair right to be heard upon this bill?

Mr. HITCHCOCK. I certainly think that the Senator from Michigan, who has been for many years a member of the committee, might be as equally entitled to time for the discussion of this bill as the Senator from any State, however eminent, who is not a member of the committee; and I regret that the Senator—

Mr. SMITH of Michigan. Mr. President, I will not pursue the matter further; but I give notice that I propose to be heard on this bill before 12 o'clock, and that I shall exercise my right as an American Senator to be heard; that I remained here all last night with the hope that I might be heard, and I propose to be heard before the vote is taken.

Mr. HITCHCOCK. Mr. President, I shall have to ask the Senator from Michigan not to endanger my position upon the floor. But the Senator from Michigan has correctly stated the situation. Such inquiry as I have made convinces me that American ships have not been used during the present war to convey munitions of war to belligerent countries of Europe. And that is not all. Some three years ago Congress created a bureau of insurance and placed it under the authority of the Treasury Department. I made inquiry of that bureau, and I find that under the advice of the proper authorities that bureau has refused to issue Government insurance on either munitions of war or vessels carrying munitions of war, or even carrying contraband of war, an extreme position, possibly, in the fine recognition of the duties of a neutral government.

Having found that out, having found that under the administration of Woodrow Wilson the Government has been scrupulous not to violate the rules of neutrality, not to do any act to facilitate the transportation of munitions of war or even contraband to the countries at war, I felt that an amendment such as that proposed by the Senator from Missouri was unnecessary, and was, in fact, a reflection upon the President, to whose hands the power was to be intrusted.

Mr. President, I shall not take time to any extent with the amendment offered by the Senator from Iowa [Mr. CUMMINS]. It is not very materially different from the bill. It seems to me a little like splitting hairs, as far as its essential particulars are concerned; and it is particularly obnoxious to me because it

specifies submarines as the vessels against which the President is to arm the merchant shipping of the United States. I object to that because it seems to single out one belligerent against whose unlawful acts the neutral rights of the United States are to be protected. I believe that armed neutrality means the maintenance of neutral rights against all belligerents, and I do not want in this bill to incorporate any phrase which would seem to indicate that war was intended against one of them, because that would inevitably involve us in the dangers of war.

Mr. President, what is the present war? It broke out suddenly, in the twinkling of an eye, like a flash from a clear sky, on or about the 1st day of July, 1914.

The PRESIDENT pro tempore. The Chair must request that better order be maintained in the Chamber.

Mr. HUGHES. Mr. President, I make the point that there is no quorum present.

The PRESIDENT pro tempore. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Norris	Smith, S. C.
Beckham	Hughes	O'Gorman	Smoot
Borah	Husting	Oliver	Sterling
Broussard	James	Overman	Stone
Bryan	Johnson, S. Dak.	Owen	Sutherland
Catron	Jones	Page	Swanson
Chamberlain	Kenyon	Penrose	Thomas
Chilton	Kern	Phelan	Thompson
Clark	Kirby	Pomerene	Tillman
Colt	La Follette	Ransdell	Townsend
Cummins	Lane	Reed	Underwood
Curtis	Lee, Tenn.	Robinson	Vardaman
Dillingham	Lee, Md.	Saulsbury	Wadsworth
du Pont	Lewis	Shafroth	Walsh
Fall	Lodge	Sheppard	Warren
Fernald	McCumber	Sherman	Watson
Fletcher	McLean	Shields	Weeks
Gronna	Martine, N. J.	Simmons	Williams
Harding	Myers	Smith, Ga.	Works
Hardwick	Nelson	Smith, Md.	
Hitchcock	Newlands	Smith, Mich.	

The PRESIDENT pro tempore. Eighty-two Senators have answered to their names. There is a quorum present. The Senator from Nebraska has the floor.

Mr. LA FOLLETTE. Mr. President—

Mr. HITCHCOCK. Mr. President, in the interest again of an effort to bring this matter to a vote I should like to inquire of those who oppose this bill whether they will give unanimous consent that all amendments and substitutes be laid aside and that the House bill be put to a vote at 11.30 o'clock.

Mr. STONE. I only want to say in this connection that I am opposed to that bill, but I am not opposed to voting upon it.

Mr. HITCHCOCK. I understood the Senator's position.

Mr. LA FOLLETTE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. I very much wanted an opportunity to be heard on this important measure.

Mr. HITCHCOCK. If there is any objection—

Mr. LA FOLLETTE. I still desire the opportunity to be heard upon it, Mr. President.

Mr. HITCHCOCK. Is there objection to my request for unanimous consent?

Mr. LA FOLLETTE. Mr. President, I was about to state an objection when I was interrupted.

Mr. ROBINSON. Mr. President, the regular order.

Mr. WILLIAMS. I make the point of order that when there is objection to a unanimous-consent request it is not in order to make a speech.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. LA FOLLETTE. I make the point of order that the request for unanimous consent has not been presented under the rule. When it is I will answer. If the Senator from Nebraska wants to make it, let him make it.

The PRESIDENT pro tempore. Is there objection to the unanimous consent asked by the Senator from Nebraska?

Mr. LA FOLLETTE. Yes; I object now; and I will object again—

The PRESIDENT pro tempore. Objection is made.

Mr. LA FOLLETTE. And as often as the request is made until I have an opportunity to be heard. The Senator from Nebraska is being heard the second time.

Mr. WILLIAMS. I call the Senator from Wisconsin to order.

The PRESIDENT pro tempore. The Senator will be in order. Mr. WILLIAMS. He is habitually and constantly violating the rules of the Senate.

Mr. LA FOLLETTE. So are you. You have not been recognized yet.

The PRESIDENT pro tempore. The Senator from Nebraska will proceed.

Mr. HITCHCOCK. Mr. President, the outbreak of the war on the 1st of August, 1914, constituted the greatest disaster that ever came upon this world. It only involved a few nations of the world at first, but one by one others were drawn into it until to-day some 14 nations of the earth are involved as participants in that terrible conflict. It has swallowed up already thousands and thousands of millions of dollars of the savings of the people. It threatens Europe with bankruptcy. It means repudiation for many nations. It means unparalleled tax burdens upon generations yet unborn, and in addition to that awful waste of the savings of the people there has been already the still more awful waste of life. Men by the millions have died in the war, and to every nation that has become involved in it it is not only a terrible calamity but an awful horror.

As I said, when the war broke out, it only involved a few nations. One by one these others have been drawn into it. Why was our country not drawn into it? Under our form of government there is only one man in the United States who possesses the awful power, the awful responsibility to keep our country out of an unnecessary war, or by some mistake in judgment or some failure to act may involve us in it.

Mr. President, for nearly three years our Chief Executive has kept us out of that war. He has done it in the face of agitation and importunity. He has done it in the face of cajoling and threat and caricature, but he has had steadily before him all the time the high humanitarian duty to save this people from the awful horrors that now afflict the rest of the world.

This bill proposes to give to him power to take practically the only step that can be taken to preserve and maintain the neutrality of the United States. The time has come when our neutrality must be armed as the neutrality of other countries has been armed. Shall we hesitate to intrust these powers to the Executive who has shown during such a long course of time and in the face of such innumerable embarrassments the sturdy determination to keep the horrors of war away from the people of the United States? What excuse have gentlemen for fearing that the small powers intrusted to the President in this proposed bill are to be abused? If he were a jingo, if he were a radical, if he were a reckless man, we might hesitate. But, being the man that he has shown himself to be, it seems to me, as a believer in peace, the safe thing for the United States to do is to give the President of the United States the right to exercise these powers of armed neutrality.

What is our position at the present time? Our position at the present time is one of infinite difficulty and uncertainty. We hardly know what is to become of our commerce. Our ships are detained in our own ports. Our mails are only irregularly transported. The traffic upon our railroads is becoming clogged and congested and all the business connected with our foreign shipments is becoming dislocated and demoralized.

So much for the condition at home. What is it abroad, Mr. President? Do any of the belligerents know exactly the position of the United States? We have been the victims of aggressions, lawless aggressions, from the belligerents on both sides of this conflict. Heretofore, with protests to be sure, we have submitted to some impositions. Shall we continue? Has Germany any means of knowing at the present time what is the position of the United States? Has Great Britain any means of knowing what is the position of the United States in this new crisis?

The President came to Congress and made a recommendation. The House took the first step toward granting to him the power he seeks. By an overwhelming majority, by a vote of 403 to 13, the House of Representatives granted to the President of the United States the power he seeks; and here in the Senate, when the bill was introduced, when it was reported by the committee, it becomes the football of a number of Senators who are not only opposed to it themselves, but who will not permit other Senators to express by their votes what they will do.

Mr. THOMPSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. HITCHCOCK. For a question.

Mr. THOMPSON. I wish to call the Senator's attention to the fact that 75 Senators on both sides of this Chamber signified their desire to vote favorably upon the bill reported.

Mr. HITCHCOCK. Yes, Mr. President; that is true. That was the only device which 75 Senators of this body of 96 Members could resort to in order to indicate by record to the outside world and to the belligerents of Europe that the Senate by an overwhelming majority stands back of the President.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from South Carolina?

Mr. HITCHCOCK. I do for a question.

Mr. TILLMAN. I was absent last night when the paper which was mentioned a little while ago was signed. I am sorry that I did not have a chance to sign it, and I ask leave to add my name to it.

Mr. HITCHCOCK. I hope the Senator's request will be granted, and I know other Senators besides the Senator from South Carolina would like the privilege of going on record in that respect. But it is almost, to my mind, a disgraceful situation when an overwhelming majority of the Senate of the United States are compelled to resort to a written statement placed upon the Record in order to indicate to the outside world that this body is not repudiating the advice and the leadership of the President of the United States, whose advice and whose leadership ought to be followed without hesitation and without question by the other departments of the Government in international affairs.

Mr. President, the present situation is almost unbearable. Under the present situation none of the belligerents of the world have any official advice as to whether or not the Congress of the United States stands upon the recommendation of the President. We can very well imagine what headlines may be printed in the newspapers of Europe to-morrow, if not to-day, to the effect that the President of the United States has been repudiated by Congress and that his recommendations to place the United States upon the footing of an armed neutral have been rejected by the Congress of the United States. Such a humiliation for our national Executive, such a humiliation for the American people is, to my mind, one of the most disgraceful things that has occurred in the history of the United States. The Senator from Missouri [Mr. REED] suggests to me that it is one of the most dangerous to our own safety also, and that is very true. If the United States takes, under the leadership of the President and the authority of the Congress, a firm, unqualified position, we may expect that the potentialities of our great Nation are such that the belligerents on both sides will give it respect. What respect, however, will they give, what respect need they give, when it is advertised that the coordinate branches of the Government of the United States are at loggerheads and that the President is not able to get from the Congress of the United States the simple authority by which he sought to maintain the country in a position of armed neutrality?

Mr. President, the course of this war has not been unknown. The history of the war, as it has been brought to us in the newspapers day by day, is a common topic. We see, in the first place, the whole German commerce, of an enormous value, swept from the seas of the earth; we see the German armies triumphant in many countries; we see them seize nine-tenths of Belgium and one-tenth of France, and hold what they have taken; we see the Teuton armies overrun Serbia and Montenegro, most of Roumania and Poland, and a part of Russia. We see the entente allies enter upon what I think was an illegal effort to starve the civilian population of Germany, and we see Germany retaliate by resorting to hitherto unknown and probably illegal acts of submarine warfare for the destruction of vessels going to and coming from Great Britain. To-day we behold the two great combatants in this war resorting to the most desperate methods to win the struggle. In all the history of the world and in the history of warfare, there has never been anything like the spectacle that we now behold.

It is not a war between soldiers and sailors; it is not a war between armies and navies; it has become a war between peoples; whole races of people, organized and mobilized down to the finest resources for the purpose, as each thinks and as each proclaims, of defending itself, but for the purpose, as the other insists, of crushing and destroying the antagonist.

Mr. President, I have here a few verses which impressed me so deeply when they were sung at a peace meeting in Philadelphia lately, at which I was one of the speakers, that I shall venture to read them, because they show in a striking way how sincerely each one of these peoples now engaged in this titanic struggle believes that the right is on their side. The title is "Five Souls," and the words are by W. N. Ewer. The song was sung by Mr. Lewis James Howell:

First Soul:

I was a peasant of the Polish plain;
I left my plow because the message ran:
Russia, in danger, needed every man
To save her from the Teuton; and was slain.
I gave my life for freedom—this I know;
For those who bade me fight had told me so.

Second Soul:

I was a Tyrolean, a mountaineer;
I gladly left my mountain home to fight
Against the brutal, treacherous Muscovite;
And died in Poland on a Cossack spear.
I gave my life for freedom—this I know;
For those who bade me fight had told me so.

Third Soul:

I worked in Lyons at my weaver's loom.
When suddenly the Prussian despot hurled
His felon blow at France and at the world;
Then I went forth to Belgium and my doom.
I gave my life for freedom—this I know;
For those who bade me fight had told me so.

Fourth Soul:

I owned a vineyard by the wooded Main,
Until the Fatherland, begirt by foes
Lusting her downfall, called me, and I rose—
Swift to the call—and died in fair Lorraine.
I gave my life for freedom—this I know;
For those who bade me fight had told me so.

Fifth Soul:

I worked in a great shipyard by the Clyde,
There came a sudden word of wars declared,
Of Belgium, peaceful, helpless, unprepared,
Asking our aid; I joined the ranks, and died.
I gave my life for freedom—this I know;
For those who bade me fight had told me so.

The Conscientious Objector:

I was a soldier of the Prince of Peace,
"Thou shalt not kill" is writ among His laws.
So I refused to fight, and for this cause
Myself was slain. 'Twas thus I gained release.
I gave my life for freedom—this I know;
For He for whom I fought has told me so.

Mr. President, I have read these verses because to some extent they express my idea of this awful conflict that is raging in Europe. When I look at the different countries, think of their history, observe their situations, and analyze their surroundings, I find in each some justification for the attitude taken by those people. I feel that this war is one which we should not hastily judge; I feel that we in the United States have fallen short in performing our duty of neutrality. I know that the overwhelming majority sympathize with one side largely because access to the other side has been cut off; largely because a common language connects us more closely with England than we are connected with Germany; largely also because the means of information are controlled in England and that Germany is deprived of them. I feel, Mr. President, therefore, a sympathy for the German people, who, after all, are only living the lives that their destiny has required them to lead.

That great people has grown up in the last 45 years under the great powers of an Empire. They occupy what for centuries has been the battle field of Europe. Only within the last 45 years have the Teuton people been privileged to live in security and in prosperity. We are wont to condemn their Government, Mr. President, and because our sympathies go strongly to the other side, we forget that the Government of Imperial Germany has done more for the common people, the masses of the German people, during the last 45 years than any country in Europe, at least, has done for its people.

So, Mr. President, I hope that there will be nothing done, and I have felt that nothing will be done by the President of the United States in using the great powers of his office in a way that might even be interpreted as according different treatment to one of the peoples of Europe than to another. I believe that if this bill could have been passed, if these powers could have been intrusted to his hands, the President of the United States, in the exercise of these powers, would have gone no further than was necessary to protect the neutral rights of the United States.

Mr. President, to my mind, if the United States must ever taste of blood, if it shall prove to be impossible for us to keep entirely out of this awful conflict, certainly the honorable course for the United States to maintain is one of neutrality. We can conscientiously as Americans empower our President to protect our neutral rights. If bloodshed follows, we will not have ourselves to blame. I sincerely hope that we may never enter this awful conflict as a party to the struggle, and I do not believe that the American people will ever justify for any reason at all the Congress or the Government of the United States entering this conflict as a party to it.

We behold before us two great belligerent powers, allied forces, fighting each other, not simply the armies and the navies, but whole peoples in an awful death struggle with each other. Naturally they will do desperate things. When a man is crowded against the wall or is fighting for his wife and his children, he will not think of the means that may be necessary; he will take every means to protect them. That is what the

nations of Europe are doing. Great Britain is doing it, and that has led her to adopt unlawful means to starve the German people into submission. Women and children and old men and invalids in Germany to-day are suffering because they can not secure enough food to keep their bodies in good condition. Do Senators think that the parents of those children or that the husbands of those wives or that the statesmen who have the responsible duty of protecting those millions of women and children are going to observe the ancient rules of international law in fighting each other as strictly and as scrupulously as the writers on international law say should be done?

On the other hand, Great Britain, Germany having filled the sea with these new-fashioned underwater boats which dart like submarine assassins through the water, miserably drowning men, women, and children who may be their victims—do Senators think that Great Britain, under those circumstances, will be moved to observe the strict letter of international law, will adhere strictly to the Marquis of Queensberry rules of ancient lore? No. So, I say, the policy of the United States in this hour should lead us to take into account the fact that we can not expect of those two great belligerent nations quite the same observation of international law that we have required and expected in other days.

Mr. President, I yield to the President of the United States my heartfelt sympathy and admiration that he has taken these great facts into account in dealing with the situation. By men learned in international law he has been prodded and assailed because, as they thought and as they argued, he has not gone the limit in requiring the belligerent nations to observe the strictest letter of old international law.

So I feel, Mr. President, that the American people owe to this President who has thus stood the brunt and taken criticism for what, after all, has kept this great people out of war, a debt of everlasting gratitude, so that they can well trust him with whatever additional powers may be necessary to continue the fight he is making for peace.

It is not only the people of the United States who owe this great debt of gratitude to the President; it is the people of all the world; because if our great Nation does actually become embroiled in this war, if the only great neutral power of the earth disappears and is by some unhappy chance forced to plunge into the awful maelstrom of war now engulfing the earth, the miseries of mankind will be enormously increased. The German in his little home or on the battle field, the Frenchman in his little home or on the battle field, the widow, the wife, the daughter, the son of any one of these countries is indebted to the President of the United States for having succeeded through these three long years in having kept the light of international law burning in one of the great countries of the world, in having succeeded in keeping one of the great nations out of this awful calamity.

Mr. President, the hour of 11 o'clock and 43 minutes having arrived, I make my final request for unanimous consent. I send it to the desk and ask to have it read.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Without objection, it will be so ordered.

The Secretary read as follows:

It is agreed by unanimous consent that at not later than 11.45 o'clock a. m. on Sunday, March 4, 1917, the Senate will proceed without further debate to vote upon the bill (H. R. 21052) authorizing the President of the United States to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and for other purposes, through the regular parliamentary stages to its final disposition.

Mr. LA FOLLETTE and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska?

Mr. LA FOLLETTE. Mr. President, I object.

Mr. HITCHCOCK. In order to comply with the rules—

The PRESIDING OFFICER. Objection is made. The Senator from Nebraska.

Mr. HITCHCOCK (continuing). I ask to have the roll called to demonstrate the presence of a quorum.

Mr. WILLIAMS. That is all I wanted.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	du Pont	Hughes
Bankhead	Chilton	Fall	Husting
Beckham	Clapp	Fernald	James
Borah	Clark	Fletcher	Johnson, S. Dak.
Brady	Colt	Gronna	Jones
Brandeggee	Culbertson	Harding	Kenyon
Broussard	Cummins	Hardwick	Kern
Bryan	Curtis	Hitchcock	Kirby
Catron	Dillingham	Hollis	La Follette

Lane	Overman	Sheppard	Thomas
Lee, Tenn.	Owen	Sherman	Thompson
Lee, Md.	Page	Shields	Tillman
Lewis	Penrose	Simmons	Townsend
Lodge	Phelan	Smith, Ga.	Underwood
McCumber	Pittman	Smith, Md.	Vardaman
Martin, Va.	Polindexter	Smith, Mich.	Wadsworth
Martine, N. J.	Pomerene	Smith, S. C.	Walsh
Myers	Ransdell	Smoot	Warren
Neison	Reed	Sterling	Watson
Newlands	Robinson	Stone	Weeks
Norris	Saulsbury	Sutherland	Williams
Oliver	Shafroth	Swanson	Works

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names. A quorum is present. Is there objection to the request of the Senator from Nebraska?

Mr. LA FOLLETTE. Mr. President, I object.

The PRESIDING OFFICER. The Senator from Wisconsin objects. The Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, that is really deplorable. Here we have present at this time—the last chance to pass the House bill—88 Senators.

Mr. LA FOLLETTE. Mr. President, I rise to a point of order.

Mr. HITCHCOCK. I decline to yield.

Mr. LA FOLLETTE. I do not ask the Senator to yield. I rise to a point of order.

The PRESIDING OFFICER. The Senator from Wisconsin rises to a point of order. The Senator will state his point of order.

Mr. LA FOLLETTE. This is my point of order, Mr. President: That the Senator from Nebraska has spoken twice upon this bill already; that he was taken off his feet by the roll call; that he has spoken early in opening the debate upon the bill, and has spoken at very great length to the exclusion of other Senators who have not spoken at all. Therefore, Mr. President, I make the point of order that he is not entitled to the floor.

The PRESIDING OFFICER. The Senator from Wisconsin makes the point of order that the Senator from Nebraska has spoken twice upon the pending question and that therefore it is not in order for him to proceed.

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LA FOLLETTE. That is, if the Chair will permit me; business has intervened since he made his second speech, and that that takes him off the floor.

Mr. BRANDEGEE. Mr. President—

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. HUGHES. I do not quite catch the Senator's point of order. Is he making the point of order that the Senator from Nebraska has spoken twice, or is he making the point of order that business has intervened since the Senator from Nebraska last yielded the floor?

The PRESIDING OFFICER. The Senator from Wisconsin, as the present occupant of the chair understands, makes the point of order that the Senator from Nebraska yielded for the suggestion of the absence of a quorum.

Mr. LA FOLLETTE. No; for the submission of a unanimous-consent agreement, if the Chair will pardon me.

The PRESIDING OFFICER. For the submission of a unanimous-consent agreement; and therefore that he has spoken twice upon the pending question, and for that reason it is not in order for him to proceed.

Mr. LA FOLLETTE. That the submission of the request for unanimous consent and the roll call is the transaction of business, and that the Senator could not hold the floor during that intervening transaction.

The PRESIDING OFFICER. The Chair understands the question as submitted by the Senator from Wisconsin.

Mr. HUGHES. Mr. President—

The PRESIDING OFFICER. The Chair will hear the Senator from New Jersey on the point of order.

Mr. HUGHES. It seems to me it has been the universal practice of the Senate in recent years to permit a Senator to submit a request for unanimous consent without thereby losing the floor. If the Chair cares to hear from me on that point, of course, I shall be glad to draw on my recollection and on the recollection of other Senators present, and thus produce numerous instances which have occurred in the last few days wherein Senators have been permitted to do what the Senator from Nebraska is being complained of for doing.

Mr. LA FOLLETTE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Wisconsin?

Mr. LA FOLLETTE. Will the Senator yield just for a suggestion at that point? That is, that this is not the ordinary

unanimous consent that Senators often ask when they are upon the floor; but this is a unanimous consent asked for under the rules, which is the transaction of business, and that therefore it terminated the right of the Senator from Nebraska to the floor.

I thank the Senator for yielding to me.

Mr. HUGHES. I am delighted to yield to the Senator at any time.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. The Senator from Georgia.

Mr. SMITH of Georgia. I desire to call the attention of the Chair to the rule upon this subject:

No Senator shall interrupt another Senator in debate without his consent—

Mr. HUGHES. That is just what the Senator has done. [Laughter.]

Mr. SMITH of Georgia (reading)—

And no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

Mr. President, if the Chair has any doubt about the right of the Senator from Nebraska to proceed, I move that he be given that privilege.

The PRESIDING OFFICER. The Senator from Georgia moves that the Senator from Nebraska be permitted to proceed. The question is on the motion of the Senator from Georgia. As many as favor that motion will vote "aye."

Mr. LA FOLLETTE. Mr. President, a point of order.

SEVERAL SENATORS. It is not debatable.

The PRESIDING OFFICER. The Senate is now dividing or voting upon the motion.

Mr. LA FOLLETTE. Yes; but I had addressed the Chair.

The PRESIDING OFFICER. As many as are opposed will vote "no."

Mr. LA FOLLETTE. I had addressed the Chair before the motion was put, Mr. President, but in the confusion in the Chamber I could not be heard.

Mr. SMITH of Georgia. But, Mr. President, the rule says the question is not debatable.

Mr. LA FOLLETTE. No; I did not rise to debate it, but simply to make the point of order.

Mr. WILLIAMS. I make the point of order—

The PRESIDING OFFICER. Just a moment, now. Those who are opposed will vote "no." [A pause.] The "ayes" seem to have it.

Mr. LA FOLLETTE. Mr. President, I would ask for a division under those circumstances.

The PRESIDING OFFICER. The Senator from Wisconsin demands a division. As many as favor the motion will rise and remain standing until counted. [A pause.] Sixty-four Senators have risen. Those who are opposed will rise and remain standing until counted. [A pause.] Two Senators have risen. The motion is agreed to, and the Senator from Nebraska will proceed.

Mr. HITCHCOCK. Mr. President, I am deeply grateful to the Senate for according me the opportunity to proceed. There is little more that I can say, or ought to say, at this time.

I had intended, if the time sufficed, to read certain portions of the address delivered by the President to Congress a week ago, when we applauded his lofty sentiments and heard his solemn pledges that he would continue to lead the United States, if it were possible, in the ways of peace. It was an unusual speech for a President asking for what his critics have termed war powers to declare, as he did—

It is devoutly to be hoped that it will not be necessary to put armed force anywhere into action. The American people do not desire it, and our desire is not different from theirs. I am sure that they will understand the spirit in which I am now acting, the purpose I hold nearest my heart and would wish to exhibit in everything I do. I am anxious that the people of the nations at war also should understand and not mistrust us. I hope that I need give no further proofs and assurances than I have already given throughout three years of anxious patience that I am the friend of peace and mean to preserve it for America so long as I am able.

That, Mr. President, is the language of the Chief Executive of the United States, to whose request unfortunately the Senate has not been able to accord an affirmative answer. Twelve men in this Senate have defeated the will of 70 or 75 or possibly 80 men, and have defeated that will by resorting to one of the most reprehensible filibusters ever recorded in the history of any civilized country. Mr. President, I am using rather strong language and possibly I ought to apologize—

Mr. LA FOLLETTE. Oh, no; not at all. It is perfectly safe when no one has a right to reply.

The PRESIDING OFFICER. The Senator from Nebraska is entitled to the floor.

Mr. HITCHCOCK (continuing). To the Senators who have been so kind and considerate to me, I assure the Senator from Wisconsin that I do not cherish any personal feelings in any—

The PRESIDING OFFICER. The Senator will please suspend. The hour of 12 o'clock noon having arrived, under the Constitution of the United States I now declare the Senate of the United States adjourned sine die.

HOUSE OF REPRESENTATIVES.

SUNDAY, March 4, 1917.

(Continuation of proceedings of Saturday, March 3, 1917.)

AFTER RECESS.

The recess having expired, the House was called to order by the Speaker at 10 o'clock a. m.

The SPEAKER. The Chair is not going to recognize anybody who does not agree if anything important comes along they will withdraw the matter, because that is fair to everybody, fair to the House and the Government. The Chair recognizes the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 358.

Mr. LEVER. Mr. Speaker, I would like to call up the conference report on the Agriculture bill.

The SPEAKER. Call it up.

EXTENSION OF REMARKS.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GARDNER. Mr. Speaker, I ask unanimous consent to print as a document the military data which the War College prepared in connection with the universal military training bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. CALDWELL. Mr. Speaker, I object.

Mr. GARDNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HASTINGS. Mr. Speaker, I would ask the same privilege.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks.

Mr. BAILEY. Mr. Speaker, I ask the same privilege.

Mr. MANN. Mr. Speaker, I would suggest to the gentleman that he ask general leave to print for 10 calendar days.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that gentlemen of the House may have the privilege of extending their remarks in the Record for five days—

Mr. MANN. Make it 10 days.

The SPEAKER. The gentleman from North Carolina asks unanimous consent—

Mr. KITCHIN. Up to the time of the printing of the final edition of the Record.

Mr. MANN. Make it 10 days.

The SPEAKER. Is there objection to gentlemen of the House having 10 calendar days in which to extend their remarks? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Carr, one of its clerks, announced that the Senate had agreed to the amendment of the House to the bill (S. 5270) for a public building at Paris, Tex.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 20632. An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes; and

H. R. 19359. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 8120) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 392. Joint resolution providing that section 5 of an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, shall not be in effect until July 1, 1917; and

H. J. Res. 390. Joint resolution to expedite the delivery of materials, equipment, and munitions, and to secure more expeditious construction of ships.

The message also announced that the Vice President had appointed as members of the joint commission provided for in the Post Office appropriation bill Mr. BANKHEAD, Mr. HARDWICK, and Mr. WEEKS.

PUBLIC BUILDING, BINGHAMTON, N. Y.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 358.

The SPEAKER. The gentleman from Florida asks unanimous consent for the consideration of the bill indicated. Is there objection?

Mr. LEVER. Mr. Speaker, reserving the right to object, may I ask the gentleman from Florida if this is a contested matter and will take any time?

Mr. CLARK of Florida. Not a particle, I think. If it does, we will have to withdraw it.

Mr. LEVER. Mr. Speaker, I withhold my motion for the present.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 358) providing for the construction of a public building at Binghamton, N. Y.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to contract, within the limit of cost hereinafter fixed, for the erection and completion on the site now owned by the United States at Binghamton, N. Y., of a suitable and commodious building, including fireproof vaults, heating, hoisting, and ventilating apparatus, and approaches, complete, for the use and accommodation of the post office, courts, and other governmental offices at Binghamton, N. Y., at a cost not to exceed \$500,000.

An open space of such width, including streets and alleys, as the Secretary of the Treasury may determine, shall be maintained about said building for the protection thereof from fire in adjacent buildings.

And the Secretary of the Treasury is further authorized and directed to sell, at such time and upon such terms as he may deem for the best interests of the United States, the present Federal building and the site thereof at Binghamton, N. Y., and convey the last-mentioned property to the purchaser thereof by the usual quitclaim deed, and to deposit the proceeds derived from such sale in the Treasury of the United States as a miscellaneous receipt, such sale to be made after the completion and occupancy of said new building.

The committee amendment was read, as follows:

Page 2, strike out the last paragraph, included in lines 5 to 14.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Florida asks unanimous consent for the present consideration of this bill. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. Now, Mr. Speaker, I ask unanimous consent to consider the bill in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

DRAINAGE DISTRICTS.

Mr. SEARS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. SEARS. Mr. Speaker, I ask to take from the Speaker's table the bill (S. 7710) and ask its present consideration.

The SPEAKER. The gentleman from Florida asks unanimous consent for the present consideration of the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 7710) to amend the irrigation act of March 3, 1891 (26 Stat., 1095), section 18, and to amend section 2 of the act of May 11, 1898 (30 Stat., 404).

Be it enacted, etc., That section 18 of what is generally known as the irrigation act of March 3, 1891 (26 Stat., 1095), be, and is hereby, amended so as to read as follows:

"Sec. 18. That the right of way through the public lands and reservations of the United States is hereby granted to any canal or ditch company or drainage district formed for the purpose of irrigation or drainage and duly organized under the laws of any State or Territory, and which shall have filed or may hereafter file with the Secretary of the Interior a copy of its articles of incorporation and due proofs of its organization under the same, to the extent of the ground occupied by the water of the reservoir and of the canal and its laterals, and 50 feet on each side of the marginal limits thereof; also the right to take from the public lands adjacent to the line of the canal or ditch, mate-